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BOSTON UNIVERSITY

GRADUATE SCHOOL

THESIS

THE STATUS OF THE NEGRO WOMAN IN THE UNITED STATES
FROM 1619-1865

by

Edythe Mae Gordon
(B. S. in S. S. Boston University, 1934.)

submitted in partial fulfillment of the
requirements for the degree of
Master of Arts

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BY

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PREFACE

The aims of this thesis are to indicate some of the important facts concerning the Negro woman in the United States between the years of 1619 and 1865, which will help to determine her status during that period, to supply the necessary historical background needed for the study of this nature, and to stimulate further study in this neglected field of Negro history.

It is my intention to set forth the legalistic viewpoint, which gives the theoretical treatment of the Negro woman, and to follow this with material which will show the actual treatment and her status in my analyses.

The material presented here has not been treated before in this form with the view of establishing the status of the Negro woman in one volume from the five points of view given: the legal, the social, the religious, the economic, and the educational.

Much of the material in this thesis is applicable to Negro men as well as to Negro women as it must be remembered that for three hundred years, under both chattel slavery and wage slavery, Negro women worked under the same conditions as the men. In addition to being a slave, the Negro woman was subjected to the double handicap of being a Negro and at the same time being a woman and was prostituted to the lust of the slave-holders.

PREFACE

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I try to point out that in spite of all the obstacles, some progress was made during that period, and that the Negro woman has played a heroic role which has been measured by patience, endurance, self-sacrifice and love. Even in those dark days prior to emancipation, she made her contribution to American civilization.

In the summary, I try, in as concise a manner as possible, to epitomize the material given in the body of the thesis. This is done with the hope of leaving a vivid picture of the struggles, cruelties, inhumanities and injustices to which the Negro woman was a victim under the system of chattel slavery which lasted for nearly three hundred years. Also, I suggest the present day situation of the Negro woman, and intimate a remedy.

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The first charter of Virginia was issued in 1606. This charter granted to the colonies the right to be governed according to such laws, as shall be in that behalf, given and signed with the King's hand, and passed under the Privy Seal of the King of England. Later in 1609, the second charter of Virginia granted the colonies the right to punish, parcel, and rule according to such orders, ordinances, constitutions, directions and instructions as by our said council as shall be

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I. THE LEGAL STATUS OF THE NEGRO WOMAN

1. Colonial Charters.

In order to determine the legal status of the Negro woman in the United States from 1619-1865, it is first necessary to review the different charters of the colonies.

Most of the English colonies were under charters granted by the crown of England. They destinated the limits of the colonies' territory and the extent of their powers of self-government. These charters changed and amended from time to time.

Sir Walter Raleigh in 1584 was granted the first charter.¹ It gave him the authority to make settlements within certain limits, and granted to him and to his heirs and assigns the privilege of making all statutes, laws, and ordinances for the government of any colony. The statutes, laws, and ordinances must be agreeable to the form of the laws, statutes, government or to the policy of England.

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1. Poore's Constitutions, p. 1381
 2. Ibid., p. 1890
 3. Ibid., p. 1901.

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established, and in cases of capital and criminal law, it shall be agreeable to the laws, statutes, government and policy of the Realm of England.

In 1611-1612, the third and last charter of Virginia¹ granted the full power and authority to ordain and make such laws and ordinances for the good and welfare of the said plantation, and such laws and statutes shall not be contrary to the Realm of England.

The same provisions were in all of the other charters, with slight variations that no laws, statutes, government shall be established which are contrary to the policy of England. The charter issued in 1620 to the New England Company² granted to the council of the company full power and authority to make, ordain and establish all manner of orders, laws, directions, constitutions, forms and ceremonies of government and magistracy, fit and necessary for and concerning the government of the said colony and plantation, which should not be contrary to the Realm of England.

In 1629, the first charter of the Massachusetts Bay Colony³ gave to the colony assembled with the Governor or Lieutenant Governor the same powers; that is, such laws and statutes not contrary to the laws of the Realm of England. The second charter of Massachusetts Bay⁴ grants similar privileges and powers. No alteration in this clause was made in the Explanatory Charter of Massachusetts Bay in 1726.

1. Poore's Constitution, p. 1905.

2. Ibid., p. 925.

3. Ibid., p. 937.

4. Ibid., p. 951.

5. Ibid., p. 954.

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1. Moore's Digest, p. 1008.
2. Ibid., p. 988.
3. Ibid., p. 987.
4. Ibid., p. 981.
5. Ibid., p. 984.

Captain John Mason, his heirs and assigns by the grant of New Hampshire in 1629¹, were empowered to establish a government which shall have power to govern agreeably, as near as may be, to the laws of the Realm of England. Full judicial and administrative authority was given to New Hampshire by the grant of 1635². By the royal commission appointed in 1680³, the New Hampshire colony was to be governed by the judgment of the council sitting as a Court of Record, and to be as nearly as possible in accordance with the laws and statutes of the Realm of England.⁴

The Charter of Maryland⁴ granted similar powers. In 1662⁵, the Charter of Connecticut empowered the governor and six assistants to make, ordain, and establish laws, statutes, ordinances not contrary to the law of England.

All law making was placed in the hands of Sir Ferdinando Gorges, his heirs and assigns by the grant of the Province of Maine in 1639⁶, in order that the same ordinances be not contrary to the laws and statutes of the Kingdom of England. The same restrictions were included in the grants of Maine in 1664 and 1674 to the Duke of York.⁷ The Providence Plantation received full power to make all laws and ordinances by the patent of 1643⁸.

The charter of Rhode Island and Providence Plantation in 1663 gave the governor and assistants the same power.⁹ Similar power was granted by the charter of Pennsylvania by Charles II to William Penn and subject to the same limitations. The charters of Pennsylvania in 1701¹⁰ and Georgia's in 1632¹¹ gave to the corporation power to form and to prepare laws, statutes, and

1. Poore's Constitution, p. 1271.

2. Ibid., p. 1274.

3. Ibid., p. 1276.

4. Ibid., p. 813.

5. Ibid., p. 255.

6. Ibid., p. 777.

7. Ibid., p. 784.

8. Ibid., p. 1595.

9. Poore's Constitutions, p. 1598.
10. Ibid., pp. 1540; 273.
11. Ibid., p. 374.

ordinances fit and necessary for the government of said colonies, not repugnant to the laws of England.

In 1663 and 1665, Carolina charters¹ vested in the proprietors of the province with the consent of the freemen the right to make all ordinances which were agreeable to the laws and customs of the Realm of England. John Locke drew up the Fundamental Constitution of Carolina in 1669; this was repealed in 1693; the first and only allusion to slaves or to slavery was made in this constitution. Section 107 states: "Since charity obliges us to wish well to the souls of all men and religion ought to alter nothing in any man's civil estate or rights, it shall be lawful for slaves, as well as others, to enter themselves, and be of what church or profession any of them shall think best, and, therefore be as fully members as any freeman. But yet no slave shall hereby be exempted from the civil dominion that his master hath over him, but in all things in the same state and condition he was in before."² Section 110 states: "Every freeman of Carolina shall have absolute power and authority³ over his Negro slaves of what opinion or religion soever."

1. Poore's Constitutions, pp. 1382; 1384.

2. Ibid., p. 1407.

3. Ibid., p. 1408.

2. English Law.

We find conflicting opinions, upon examining the English cases, as to the rights of masters over the persons of their slaves while in England. In the earlier cases, the contention was that such rights were continued. The cases were usually based upon Negroes who had run away or who had been taken away from their masters. In the twenty-ninth year of Charles^{II}, the first of these cases appeared. Action was sustained on the ground of the custom of merchants in the colonies. The next case for tro-¹ver was the fourth year of William and Mary; at this time the court was of the opinion that trover would not lie, while in the fifth year of William and Mary it was held that the Negro might be a slave as he was considered to be a heathen and trover would therefore lie.

In the seventh year of William and Mary, it was declared that while slavery was not legal in England, the colonies could make laws establishing slavery as a local custom as this prevailed in some parts of England.

In the term of the twelfth year of George^{III}, occurred the case of James Somersett. Somersett who had been made a slave in Africa was sold there, and brought to Virginia where he was again sold. His new master later took him to England, where he escaped. Recaptured, he was confined upon a ship of a Captain Knowles. Lord Mansfield issued a writ of Habeas Corpus, and since the court was not of the

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opinion that the return was sufficient for enslavement, the Negro was released. Lord Mansfield said: "The state of slavery is of such a nature that it is incapable of being introduced on any reasons, moral or political, but only positive law, which preserves its force long after reasons, occasions, and time itself, from which it was created, is erased from memory. It is so odious, that nothing can be suffered to support it, but positive law. Whatever inconveniences, therefore, may follow from a decision, I cannot say this case is allowed or approved by the laws of England, and therefore the Blacks must be discharged."¹

After 1678, slavery was recognized in the colonies both by statute and by common law decisions.² Until then, it would seem that slavery was illegal, unless it could be held to have arisen by prescription, and such an idea would apparently be controverted by the decision of Lord Mansfield. Hence the conclusion that slavery though practiced was illegal,

3. Importation of Negroes in the Colonies.

A cargo of twenty Africans were landed from a Dutch man-of-war at Jamestown, Virginia, in August 1619.³ With this introduction of Negroes in Virginia, slavery gradually made its way into all the thirteen colonies, and was sanctioned by their several legislatures. Although slavery was not originally established by law, not did it legally exist, slavery actually existed, resting wholly upon the sanction of custom, and then laws were required to control it. The acts first passed in Virginia were merely regulations for servants.⁴ On December 14, 1662, the Civil law rule as to

1. See West, G.M., Status of the Negro in Virginia.

2. Ibid.

3. Cromwell, The Negro in American History, p. 3.

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descent was adopted. Eight years later, October 3, 1670, servants who were not Christians imported by shipping were declared slaves for life. Slavery in Virginia was thus legalized.

It is important to note that until 1664 Negroes in Virginia and other colonies were not slaves but indentured servants. The twenty Africans brought over on a Dutch man-of-war at Jamestown, were not slaves; they were put to work for the government as indentured servants.

Incidentally, slaves were first mentioned by a proposed law of 1638, four years after its settlement. The Dutch gave it first legal recognition in Delaware in 1721, although it had really existed in the colony since 1666.

At the time of the establishment of the colony in Georgia, slavery was prohibited by Oglethrope in 1733, but the prohibition was repealed in 1749 and the first legislation recognizing slavery as an institution was in 1755.¹

The Dutch brought slavery into New Jersey, and received legal recognition in 1664. While New York was a Dutch colony of New Netherlands in 1626, slavery was introduced and received legal recognition in 1665.² Importation was never directly established in Connecticut by statute, and the time of the introduction of slavery is unknown.³ Slavery in Massachusetts was recognized in 1663. A Salem ship began the importation of slaves from the West Indies in 1836, and was forbidden in the fundamental law in 1641. By acts of 1714 and 1718, the statutes of New Hampshire show two legal recognitions of slavery. These acts were to regulate the conduct of servants and slaves and masters.

1. Cromwell, op. cit., p. 3.

2. Ibid., p. 4.

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1. Goss, op. cit., p. 3.
2. Ibid., p. 4.
3. Ibid., p. 4.

Although there were some differences between slavery in the North and in the South, attributable to economic rather than moral causes, the legal status of the slave was the same.

The General Assembly of Virginia in 1778 enacted that "no slaves shall hereafter be imported into this commonwealth, by sea or land, nor shall any slave or slaves so imported be sold or brought by any person whatsoever," under penalty of one thousand pounds for every slave imported and fined a hundred pounds for every one either sold or bought, and the slave himself to be free. It was also provided that persons removing to the state from other states with the intention of becoming citizens of Virginia might bring their slaves with them.

This act did not apply to persons claiming slaves by descent, marriage, or divorce, or to any citizen of Virginia who was then the actual owner of slaves within the United States, nor to transients with slave attendants.²

A law was enacted in 1785 declaring to free the slaves who would afterwards be imported and kept in the State a year, whether at one time or at several times. The same exceptions were made to this law as in the law of 1778.

In 1796, these acts were amended; thus it was made lawful for any citizen of the United States residing in Virginia or owning lands there, to carry out any slaves born in the state and bring them back, If they were entitled to freedom in the state to which they moved, they could not be held as slaves in Virginia again.³

1. Collins, H. W., The Domestic Trade of the Southern States p. 110
2. Ibid., p. 110.
3. Ibid., p. 111.

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A law was passed in 1806 which prohibited the introduction of slaves into Virginia.¹ In 1811 the law was amended to restore to residents of the state the privilege concerning the importation of slaves which they had under the law in 1778. The act was further amended to extend the right to immigrants to bring in slaves. Those importing slaves were required to exhibit before a justice of the peace a written statement with the name, age, sex and description of each slave. The law of 1819 permitted the importation of slaves not convicted of crime from any section of the United States.

South Carolina, in 1792, passed a law to prohibit for two years the importation of slaves from Africa or from "other places beyond the seas." It also prohibited slaves in the United States who were bound by a term of years. As the act was revised in 1794 and 1797, it prohibited the introduction of slaves into South Carolina from any part of the United States.

In 1803, an act prohibited importation of slaves from the West Indies, and from South America. In 1816, it was enacted that no slave should be brought into the state "from any part of the United States or territories or countries bordering thereon." In 1823 and 1847, there were other legislations repealing the law prohibiting the importation of slaves.²

Laws were passed in North Carolina restricting the importation of slaves from states in 1786. "A law of 1794 prohibited the introduction of slaves and indentured servants of color."³ An act of 1776 allowed slaves to be brought in who be-

1. Collins, H.W., The Domestic Trade of the Southern States, p. 111.

2. Collins, op. cit., p. 116.

3. Ibid., 117.

longed to residents near the Virginia and South Carolina boundaries. A law, in 1816, was passed providing that slaves brought into North Carolina from foreign countries, contrary to the act of Congress of 1807, were to be sold. No more laws concerning the importation of slaves were passed after the repeal of the laws against importation about 1818.

Georgia in 1793 passed a law against the importation of slaves. In 1798 and 1817, there were other acts concerning the prohibition of the importation of slaves.¹

A law was passed in 1835 which made anyone subject to fine and imprisonment who should bring into Georgia any male slaves who had been to a non-slave-holding state or to any foreign country.² In 1849, all laws civil and criminal forbidding in any manner the restriction of importation of slaves were repealed. Much of the law which had reference to the importation of slaves was repealed in 1852.³

Maryland prohibited the importation of slaves in 1783 and 1791 and 1794 were dates of amendment. In the General Assembly of Maryland, it was enacted in 1796⁴ that it shall not be lawful, from and after the passing of this act, to import or bring into this state, by land or water, any Negro, mulatto, or other slave, for sale, or to reside within this state; and any person brought into this state as a slave contrary to this act, if a slave before, shall thereupon immediately cease to be the property of the person or persons so importing or bringing such slave

1. Collins, H.W., The Domestic Trade of the Southern States, p. 118.

2. Ibid., p. 119.

3. Ibid., p. 120.

4. Ibid., p. 121

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lawful, from and after the passing of this act, to import or bring
into this state, by land or water, any Negro, mulatto, or other
slave, for sale, or to reside within this state; and any person
brought into this state as a slave contrary to this act, if a
slave before, shall thereupon immediately cease to be the prop-
erty of the person or persons so importing or bringing such slave

within the State, and shall be free.

Immigrants to the state were allowed to bring in their own slaves. In 1797, this was modified in favor of those coming into Maryland to reside. In 1810, a law was passed to prevent those who were slaves for a limited time from being sold out of the state.¹

A law was passed regulating the exportation of slaves in 1817.² A restrictive law was enacted in 1831, which forbade the introduction of slaves into the states.³ In 1833, the law was withdrawn and supplemented by another act in 1837 which required immigrants to make affidavit declaring their intention to become citizens of the state and to pay a tax on their slaves.

During the years 1776, 1787, and 1793, Delaware and Louisiana made laws restricting the importation of slaves, Delaware being the original southern state to embody a declaration unfavorable to the importation in her constitution.⁴

An Act of Congress in 1798 prohibited the importation of slaves from without the United States, Kentucky, Tennessee, Missouri, Arkansas, Florida and Texas had similar laws from 1790 to 1838, restricting and regulating the importation of Negroes into the states. Although all the states had passed laws to prohibit the introduction of slaves from without the United States before 1808, each state had the power to reopen the slave trade at will.

Congress, exercising its constitutional right in 1807, prohibited the importation of slaves from without the United States after January 1, 1808 and the right of the individual states, to import slaves from foreign states was lost.

1. Collins, op. cit., p. 121.

2. Ibid., p. 122.

3. Ibid., p. 123.

4. Ibid., p. 125.

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1. Collins, op. cit., p. 121.
2. Ibid., p. 122.
3. Ibid., p. 123.
4. Ibid., p. 125.

4. Fugitive Laws.

Congress passed the Fugitive Slave Bill in 1850. Before the enactment of this bill, a slave could escape from the South and find shelter and refuge in the North. The bill denied the privilege of a jury trial, and the escaped slave could be tracked, claimed, and sent back to his owner. The section of the Constitution which declared that no person shall be deprived of life, liberty or property without due process of law or the Habeas Corpus Act did not apply to the slave as he was stripped of every right and reduced to the status of an animal. Under this law, women who had been free were sent back into slavery in many instances.

"Marshals and deputies are required to execute all warrants and precepts, or other process for the arrest and detention of fugitives, under penalty of a fine of a thousand dollars, for the use of the claimant of such fugitive; and in case of the escape of such fugitive from the custody of a marshal, whether with or without his knowledge and connivance, the said marshal is to be liable to a prosecution for the full value of the said fugitive.¹"

Any person who shall knowingly hinder the arrest of a fugitive, or attempt to rescue him after arrest, or assist such fugitive, directly or indirectly to escape, or harbour or conceal him, shall be liable to a fine of one thousand dollars, and six months imprisonment, by conviction before the proper district or territorial courts, and to a suit for damages of one thousand dollars for each fugitive lost to his owner by said obstruction

1. The Fugitive Slave Bill and Its Effects, p. 3.

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or rescue, the same to be recovered by action of debt in any of the courts aforesaid.¹"

Rachel Parker, a Negro woman, was taken from her home in West Nottingham, Pennsylvania by a Mr. Schoolfield, a lottery dealer of Baltimore and an agent of M'Creary, a slave-taker. J. C. Miller, with whom the young woman lived, followed in pursuit, and had M'Creary arrested on the charge of kidnapping. Mr. Miller's statement to the effect that he had known the young woman since infancy, and that she was not a slave, resulted in the woman's committment to the city prison, and Miller and M'Creary were held for appearance in court for the sum of three hundred dollars. When the friends of Miller and of the woman had returned home from the pursuit, Miller was missing. Upon investigation, he was found dead suspended to a sapling, and although an inquest was held and a verdict of "Death by Suicide" was given, the appearance of his wrists showed that they had been handcuffed and Miller had been murdered.²

Amanda Smith, in her autobiography, tells how her father assisted runaway slaves. She states, "Our house was one of the stations of the underground railway. My father took the Baltimore Weekly Sun newspaper, which always had advertisements of runaway slaves. These would be directed by their friends to our house, and we would assist them on their way to liberty.... at midnight and walk to a place of security, sometimes a mother and child, sometimes a man and wife, and then get home just

1. The Fugitive Slave Bill and Its Effects, p. 3.

2. Ibid., p. 7.

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Annals Smith, in her autobiography, tells how her father educated runaway slaves. She states, "Our house was one of the stations of the underground railway. My father took the Pittsburg Weekly Sun newspaper, which always had advertisements of runaway slaves. These would be directed by their friends to our house, and we would assist them on their way to liberty.... at midnight and walk to a place of security, sometimes a mother and child, sometimes a man and wife, and then get home just

before day.....¹"

Another story of a slave who escaped is that of William and Ellen Craft who were slaves in Georgia. Since Ellen was fair, she passed as a white woman, and William, her husband, as a slave. With their clever disguise, Ellen as a young planter with a face muffled up from "suffering toothache," and her right arm in a sling, they affected an escape to Philadelphia, stopping en route at the best hotels in Charlestown, Richmond and Baltimore. They were sent to Boston where they lived until the fugitive slave law was passed, and then they went to Great Britain.²

It was the duty of the army "to catch run-away slaves;" they were arrested and held subject to the order of their masters. Congress passed an act on August 6, 1861 to confiscate property used for "Insurrectionary Purposes."³

Any person, bond or free, convicted of hiding a fugitive charged with crime, was liable to punishment.⁴ If a slave, corporal punishment not extending to the loss of life or limb was given; if a free person, a fine of thirty shillings for the first day, and three shillings for each additional day was imposed.

1. Nichols, J.S. and Grogman, U.H., The New Progress of a Race, p.102.
2. Ibid., pp. 103-104.
3. Williams, G.W., Hist. of the Negro Race in America, II, p.263.
4. Flanders-Plantation Slavery in Georgia, p. 28.

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Another story of a slave who escaped is that of William and Ellen Craft who were slaves in Georgia. Since Ellen was fair, she passed as a white woman, and William, her husband, as a slave. With their clever disguise, Ellen as a young planter with a lace muffled up from "suffering footsore," and her right arm in a sling, they effected an escape to Philadelphia, stopping en route at the best hotels in Oberlinstown, Richmond and Baltimore. They were sent to Boston where they lived until the fugitive slave law was passed, and then they went to Great Britain. It was the duty of the army "to catch run-away slaves; they were arrested and held subject to the order of their masters. Congress passed an act on August 6, 1851 to confiscate property used for 'insurrectionary purposes.'"

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5. Slaves as Property.

In the fall of 1619, a Negro woman by the name of Angela, was disembarked on the Virginia coast from a ship called the Treasurer of which the Earl of Warwick was owner. This was the beginning of the Negro woman^{being} classified as property.¹

According to legal terms, a slave was a thing, a piece of personal property, and the laws recognized and regulated it with rigidity and executed it with severity.² Although the objection to the idea of property was the prevailing rule, it was not universal, and the objection was individual. The Quakers were the only people, as a group, who protested against this idea of slaves as property. Holding property in man at first was a terrible thing to the Christian religion, but later it sanctioned the custom, with the excuse that the African was a heathen, and slavery would convert him. "Later, when the injustice of holding a fellow Christian in slavery was apparent, it was affirmed by statute that conversion to or acceptance of Christianity does not presume or effect manumission either in person or posterity."³

As with other livestock, the proprietor of the female parent became possessed of her offspring and as the owner of a horse might coerce him into subjection, although the law illegalized cruel treatment, and forbade the destruction of life or limb except when meeting resistance or by mishap in the course of "moderate correction." A fugitive slave, like a runaway dog,

1. Dowd, J., The Negro in American Life, p. 10.

2. Cromwell, J.W., The Negro in American History, p. 5.

3. Cromwell, loc. cit.

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2. Gromwell, J.W., The Negro in American History, p. 5.
3. Gromwell, loc. cit.

was advertised, and reclaimed by his master upon payment for services rendered and expenses incurred.¹

The two following advertisements indicate the low estimate placed on slaves. "One from the London Gazette advertised for Colonel Kirk's runaway black boy upon whose silver collar was the inscription, 'My Lady Bromfield's black in Lincoln Inn Fields' and in the Westminster announces that he makes silver padlocks for black's or dogs' collars."²

About 1776, it was not unusual to see advertisements of slave-property. From the Independent Chronicle, October 3, 1776, "To be sold a stout, hearty, likely Negro girl fit either Town or Country. Inquire of Mr. Andrew Gillespie, Dorchester, October 1, 1776."

From the Fame, November 23, 1776: "To sell - a hearty, likely Negro Wench about 12 or 13 years of age, had had the Small Pox, can wash, iron, card and spin etc., for no other fault but for want of employ."

Also, in February 27, 1777 in the Fame appeared:-
"Wanted a Negro girl between 12 and 20 years of age, for which a good price will be given, if she can be recommended."

And lastly, from the Independent Chronicle of May 18, 1777: - "To be sold for want of employ, a likely Negro girl, 18 years old, understands all sorts of household business, and can be well recommended."³

1. Phillips, *Life and Labor in Old South*, p. 162.

2. Cromwell, *The Negro in American History*, p. 7.

3. Moore, G.H., *Notes on the History of Slavery in Massachusetts*, p. 177.

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About 1775, it was not unusual to see advertisements of slave-property. From the Independent Chronicle, October 3, 1775, "To be sold a stout, healthy, likely Negro girl 15 either Town or Country. Inquire of Mr. Andrew Gillespie, Bostoner, October 1, 1775."

From the Tame, November 28, 1775: "To sell - a healthy, likely Negro woman about 15 or 16 years of age, had the small pox, can wash, iron, card and spin etc., for no other fault but for want of employ."

Also, in February 27, 1777 in the Tame appeared:-
"Wanted a Negro girl between 15 and 20 years of age, for which a good price will be given, if she can be recommended."
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1. Phillips, Life and Labor in Old South, p. 152.
2. Cromwell, The Negro in American History, p. 7.
3. Moore, G.R., Notes on the History of Slavery in Massachusetts, p. 177.

6. Punishment for Offenses.

In 1740, by the North Carolina Act, a fine of seven hundred pounds was imposed for the deliberate murder of a slave by his master, or another white man, three hundred and fifty pounds for killing him under correction or in passion, and one hundred pounds for cruel punishment. It was decided in Mississippi in 1820 that wanton killing of a slave by his master was murder. Thirty years later in Georgia, it was declared that a master had absolute power over a slave. In actual practice, a slave had no legal voice, and no penalty was attached to the murder of a slave by his master, although the owner could recover damages if his slave was killed by someone else.

For petty offenses, severe cruelties were imposed by the South Carolina Code of 1712, but later these were modified, and the punishment for stealing was whipping. A common punishment in Charleston and other places was ten lashes for a minor offense. An official whipper received from his patrons fifteen cents for every ten lashes. If resistance occurred, the punishment was increased two or three times. The death penalty for a slave was hanging.¹

Crimes and offenses of grave nature which would not fall under the laws of England, received particular attention. The following crimes were declared felonies without benefit of clergy: willful burning or destroying a stock of rice, corn or other grain; setting fire to tar kilns; barrels of pitch, tar, turpentine, rosin or any commodities manufactured in the province.

1. Brawley, B., A Short History of the American Negro, p. 56.

Death was also the punishment for the stealing of slaves and the administering of poison.¹

Insurrectionary attempts were also punishable by death. The public treasurer paid ^athe sum, not exceeding fifty pounds, when a slave was executed for a crime. Slave owners were forbidden to shelter criminals for the avoidance of property loss. During the colonial period, no offense was punished by branding, but the code provided for corporal punishment or death.

A work house was established for the custody and punishment of Negroes in Savannah, in the year 1763, in order to avoid the owner of slaves the risk of violating the law, by the use of "harsh methods" of punishment.

7. Other Laws.

There grew up a system of laws known as the "black laws",² and in 1846 Maryland denied Negroes the right to testify in cases in which any white person was involved; it permitted, however, the testimony of slaves against free Negroes. The legislature in the Constitution of 1851 was forbidden to pass any law abolishing the relation of master and servant.

In 1851, Delaware prohibited the immigration of free Negroes from any state except Maryland. It also forbade them attendance at camp meetings except for religious worship under the control of whites. A law of 1852 provided that no free Negroes should have the right to vote or "to enjoy any other rights of a freeman other than to hold property or to obtain redress in law or in equity for any injury to his or her person

1. Flanders, R.B., Plantation Slavery in Georgia, p. 31.

2. Stephenson, Race Distinctions in American Law, pp.36-39.

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1. Flanders, E.B., Plantation Slavery in Georgia, p. 51.
2. Stephenson, Race Distinctions in American Law, pp. 36-38.

or property.¹"

In 1847, Missouri forbade any free Negro admittance into the state; it enacted that no person should keep a school for the instruction of Negroes in reading and writing; it also forbade any religious meetings of Negroes unless a justice of the peace, constable or other officer was present, and it declared that schools and religious meetings for free Negroes, were "unlawful assemblages."

Ohio required colored people to give bonds for good behavior, as a condition of residence. This state excluded them from schools, denied them the rights of testifying in courts of justice when a white man was a party on either side, and subjected them to other unjust and degrading disabilities.

In 1851, Indiana prohibited free Negroes and mulattoes from coming into the state and fined all persons who employed them between five and ten hundred dollars for each offense; these fines were to be devoted to a fund for colonization of Negroes. Intermarriage between the races was prohibited.

It was a misdemeanor for a Negro to come into the state of Illinois in 1853 with the intention of residing there, and such persons who violated the rule were prosecuted and fined or sold in order to pay the fine.

Iowa forbade the entrance of free Negroes in 1851, and provided that free colored persons should not give testimony in cases where a white man was involved.

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Iowa forbade the entrance of free Negroes in 1861, and provided that free colored persons should not give testimony in cases where a white man was involved.

On the ground that it would be dangerous for Negroes to associate with Indians, since there was the possibility of the formation of hostility against the whites, Oregon in 1849 forbade the entrance of Negroes into the state. First, this state tried to keep the free Negroes out, and then it tried to subject them to various disabilities.

The Civil Rights Bill had the effect of making the free states repeal their "black laws", and allowed Negroes intermarriage with whites, attendance at the same schools, the privilege of sitting on juries and the right of voting. The free Negro was in a distinct class between the slave and the master.

Feeling that the free Negro was a sort of irresponsible person, neither bond nor free, and feeling that he would be likely to spread discontent among the slaves, the southern states were afraid of the free Negroes and when the slaves were emancipated, the South desired their leaving. The Virginia Constitution of 1850 provided that the emancipated slaves who remained more than twelve months in the commonwealth after they had become free, should forfeit their freedom and again be reduced to slavery under such regulations as the law might prescribe. If the freedman remained, he would be reenslaved; if he went to a free state, he might be liable to prosecution for violation of laws against immigration of free Negroes.

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A Florida statute of 1865 required that all contracts with persons of color should be in writing, and fully explained to them before two credible witnesses. One copy of the contract was to be kept by the employer, and the other by some judicial officer of the state. Contracts of less than thirty days might be oral. Failure to perform his contract, the Negro was treated as a vagrant. In 1866, the law was applicable to both whites and Negroes.¹

Contracts between white persons and Negroes, by the law of Kentucky, had to be in writing and attested by some white person.

The master might discharge the servant² for wilful disobedience of the lawful order of himself or his agent for habitual negligence or indolence in business, for drunkenness, for gross, immoral or illegal conduct; for want of respect and courtesy to himself, his family, guests or agents or for prolonged absence from the premises or absence on two or more occasions without permission. If the master preferred, he might report the servant to the district judge or magistrate who had power to inflict suitable corporal punishment or impose a fine and remand him to work since the fine would be deducted from the wages if not paid.

A servant had the right to leave his master's service for an insufficient supply of food, an unauthorized battery upon his person or upon a member of his family not committed in the defense of the person, family, guest or an agent of the

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2. *Ibid.*, p. 50.

master; invasion by the master of the conjugal rights of the servants or failure by the master to pay wages when due.

At the end of an apprenticeship, the master must pay fifty dollars to a girl and one hundred dollars to a boy, but if the master taught the apprentice to read and write, he was not bound to pay any money.

A Negro girl who had been a slave in Maryland and who had been freed by the Constitution of November 1, 1864, was two days later apprenticed by her mother to her former master.

In the statutes of the colony of Virginia, appears the following: "The appearance of Negro, Indian, and mulatto slaves after nightfall in the street without a lighted candle was forbidden, and none were permitted to absent themselves from a master's plantation without written certificate." This law was published every six months in the county court and in the parish churches. It was hoped by this law to prevent the possibility of servile insurrections.

Stroud's Slave Law indicated the general condition as related to slavery.

First - The master may determine the kind, degree and the time of labor to which the slave shall be subjected.

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Stroth's Slave Law indicated the general condition

as related to slavery.

First - The master may determine the kind, degree

and the time of labor to which the slave shall be subjected.

Second - The master may supply the slave with such food and clothing both as to quantity and to quality as he may think proper or find convenient.

Third - He may exercise his discretion as to the kind of punishment to be administered.

Fourth - All power over the slave may be exercised by himself or another.

Fifth - Slaves have no legal rights of property in things real or personal; whatever they acquire belongs, in point of law, to the master.

Sixth - Being a personal chattel, the slave is at all times liable to be sold absolutely or mortgaged or leased.

Seventh - He may be sold by process of law for the satisfaction of the debts of a living or a deceased master.

Eighth - He cannot be a party in any judicial tribunal in any species of action against the master.

Since each state had its own slave code, it is difficult to make a general statement about the legal side of slavery.

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Eighth - He cannot be a party to any judicial trial in any species of action against the master.

Since each state had its own slave code, it is difficult to make a general statement about the legal side of slavery.

8. Freemen.

There were up to 1790 as many as 59,557 free Negroes in the United States; 35,000 of this number lived in the southern states. From 1790 to 1810, the number exceeded that of the slaves, and from 1810 to 1840 the number remained the same, although the Negro population doubled. The free Negroes were given more consideration than the slaves, and they were not bound by the customs and regulations which restricted the slaves. Many masters maintained schools for their mulatto children. Many of the free Negroes owned considerable property, and some of the number owned slaves who cultivated large estates. Marie Bitand, a free Negro woman, purchased slaves in many instances for personal reasons or in some cases for the purpose of making the lot of the slaves easier¹

Although the colonies had special enactments protecting slave property and providing codes and tribunals for this element, they recognized the higher status of the free Negroes². The recruits of the free Negroes came from children born of free Negro parents, mulatto children born of free Negro mothers, mulatto children born of white parentage and manumitted slaves. In this population, the offspring of white men by free Negro mothers contributed much to the numbers in this class. Coming from Europe without wives, some white men cohabited with Indian and Negro women. As evidence shows, such mothers wanted to produce children when supported and protected by the fathers; this was especially true in Maryland and Virginia where there were several instances of this kind.

1. Nichols, J.L., *The New Progress of a Race*, pp. 124-127.

2. Woodson, *Free Negro Heads of Families in the United States in 1830*, p. 6.

There were up to 1750 as many as 50,000 free Negroes in the United States; 35,000 of this number lived in the southern States. From 1750 to 1810, the number exceeded that of the slaves, and from 1810 to 1840 the number remained the same, although the Negro population doubled. The free Negroes were always more considered than the slaves, and they were not bound by the customs and regulations which restricted the slaves. Many masters maintained schools for their mulatto children. Many of the free Negroes owned considerable property, and some of the number owned slaves who cultivated large estates. Maria Bittah, a free Negro woman, purchased slaves in many instances for personal reasons or in some cases for the purpose of making the lot of the slaves easier.

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Later, lustful white men found it more convenient to purchase slave woman so that they could appease their animal passions.

Free white women and white women servants also produced mulatto children. Where there were no social distinctions in regards to race, the economic distinction prevailed. Suffering from the same poverty and discrimination as Negro women during the early colonial days, the white servant woman or the free white woman intermingled with the Negro men were sometimes in a better position to support them than men of their race.

Some of the Negroes first brought to this country were indentured slaves like white persons of that imported class; at the expiration of their term of service, such Negroes took up land and in some instances they hired indentured servants and owned slaves.

Children born of free Negro and Indian parentage had the status of free Negroes. Planters sometimes married white women servants to Negroes in order to transform their children into slaves, but this was a violation of the ancient law that the offspring of a free woman follow the status of the mother.

Some Negroes became free as an indentured servant became free at the end of their term of service, and it was a matter which concerned the master and slave only and no official could interfere. Since this form of manumission was often objected to as a danger, Negroes obtained their freedom by a last will and testament and by deed.

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By the law of 1741, the colony tried to prevent what the General Assembly called "that abominable mixture and spurious issue which hereafter increased in this government by white men and women intermarrying with Indians, Negroes or mulattoes." It was enacted that if any man or woman who was free should intermarry with an Indian, Negro, mustee or mulatto man or woman or any person of mixed blood to the third generation, he should by judgment of the country court, forfeit and pay the sum of fifty pounds to be used for the parish. If any white servant woman should, during the time of her servitude, have a child by a Negro, mulatto or Indian, she should be sold by the church wardens of the parish for two years after the time by indenture.

The law also provided that "An English man or man of any other Christian nation who should committ fornication with a Negro or mulatto woman, should be whipped and the woman sold out of the province." Subjects of England and of Scotland were forbidden to contract matrimony with any Negro or mulatto under a penalty imposed on the person joining them in marriage. An owner could not unreasonably deny marriage to his Negro with one of the same race.

In 1725, a prohibitory law was enacted which provided that no minister, pastor or magistrate or other person who according to the laws of that province usually joined people in marriage should upon any pretense join in marriage a Negro with a white person be fined one hundred pounds. Also if any white man or woman should cohabit with any Negro should be put out to

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service until they came to the age of thirty-one years; and if any free Negro man or woman should intermarry with a white man or woman, such Negro should become a slave during life and should be sold by order of the justice of the quarter sessions of the respective country. If any free Negro man or woman should commit fornication or adultery with any white man or woman, such Negro should be sold as a servant for seven years and the white man or woman should be punished as the law directs in cases of adultery or fornication.

Although these rigid laws were enacted, they seemed to have little effect on ~~the~~ miscegnation, ~~of the races.~~ One fifth of the population at Chester County were mulattoes in the year 1780. The law against the amalgamation of races was repealed in Pennsylvania the same year. Mulattoes constituted one third of the Negro population of Pennsylvania in 1860, although at the beginning of 1820 there was a campaign against intermarriage.

The sister of President Madison said: "We southern ladies are complimented with the name of wives; but we are only the mistresses of seraglio¹." Many mulatto children were added to the free Negro element by Negro women who were prostituted to the purposes of the young white men and overseers. A respectable "Christian lady" in the south was reported to have kept a handsome mulatto female for the use of her genteel son, as a method of deterring him, as she said, "from indiscriminate and vulgar indulgences."

1. Woodson, C.G., Free Negro Heads of Families in the United States in 1830, p. 16.

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Harriet Martineau discovered a young white man who, on visiting a southern lady, became insanely enamored by her quadroon maid. He sought to buy her, but the owner refused to sell the girl, but in order to effect the purchase, he finally told her owner that he could not live without the quadroon. Consequently the mistress sold the girl to the young man.

Persons who desired to see slavery prolonged saw that miscegnation and especially the general cohabitation of white men with their female slaves introduced a mulatto race whose numbers would become dangerous if the affections of their white parents were permitted to render them free. They also feared that America would become a race of mixed breeds rather than one of a black and white population.

These laws to prevent intermarriage were never intended to prevent miscegenation of the races, but to debase the offspring of the Negroes to a still lower status. They aimed to leave the Negro woman without redress or protection against white men. Although the intermarriage of the races was prohibited in Maryland in 1663 and the law was made more rigid by other acts of 1681 and 1717, the free Negroes could apparently vote and hold office there, for they were not legally deprived of this right until 1810. Then attempts were made to debase the free Negro's status to that of a slave.

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Prior to 1700, free Negroes were tried in the same courts in which white men were tried. Sometimes the free Negro was required to pay a higher poll tax than the white man, and although the free Negroes were not allowed all the privileges of the whites, they were held liable to carry their part of the burden of the state.¹ There were some exceptions in this case, as it happened that in 1769 free Negro, mulatto and Indian women and all wives other than slaves of free Negroes, mulattoes and Indians were exempt in Virginia.

Most of the social contact of the free Negroes was with the slaves. There was not much difference in the status of the slave and that of the free Negro and many times the two worked side by side. The free Negroes, as a whole, were badly treated.

Negro free men owned and sold their Negro women slaves. Richard Richardson sold ^{to} Alexander Hunter in Savannah, a slave woman and child for the sum of eight hundred dollars. Likewise, Anthony Orddingsell, a free Negro, sold a slave woman in the same city in 1833. A Charlestown Negro who purchased his wife for seven hundred dollars sold her at a profit of fifty dollars because she misbehaved.²

Marie Louise Bitand, a free Negro woman of New Orleans, purchased slaves for personal reasons in 1832. Samuel Martin, a free Negro slaveholder of Port Gibson, Mississippi, purchased his freedom in 1829, and afterwards bought the freedom of two mulatto women with their four children. He brought them to Cincinnati in 1844 and emancipated them.

1. Woodson, C.G., Free Negro Heads of Families in the United States in 1830, p. 32.

2. Ibid., p. 35.

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J. Woodson, C. G., Free Negro Head of Family in the United
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9. Emancipation Proclamation.

The public conscience was quickened and the feeling against slavery was crystallized to such a degree that public men were outspoken against it; societies were organized and the work of the abolition of slavery was begun. A powerful influence was exerted by the principle in the Declaration of Independence that "All men are created equal and endowed by the Creator with certain inalienable rights among which are life, liberty and the pursuit of happiness."²

The Colony of Vermont adopted a constitution in 1777 abolishing slavery.³ Massachusetts framed a constitution in 1780 which contained a provision construed by the courts providing for the abolition of slavery, while Pennsylvania in the same year provided for gradual emanci-

1. Woodson, C.G., Free Negro Heads of Families in the United States, p. 39.

2. Brawley, B., A Short History of the American Negro, p. 102.

3. Cromwell, J. W., The Negro in American History, p. 10.

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1. Woodson, C. B., Free Negro Heads of Families in the United States, p. 10.
2. Brewster, B., A Short History of the American Negro, p. 102.
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Rhode Island and Connecticut passed gradual abolition laws in 1784. New Hampshire followed Massachusetts in 1783 in abolishing slavery. Now five of the original thirteen colonies, prior to the Constitutional Convention of 1787, declared themselves free states, and to which were added New York and New Jersey in 1799, and 1780 respectively. "In the Continental Congress, March 1, 1784, Jefferson proposed a draft ordinance for the government of the Territory of Tennessee, Alabama and Mississippi ceded already or to be ceded by individual states to the United States," that after the year 1800 there should be neither slavery nor involuntary servitude in any of the otherwise than in punishment of crime.

This provision was lost to the opposition of the planting interests led by the states of South Carolina and Georgia. The ordinance of 1787 prohibited slavery in the territory north of Ohio which now includes the states of Michigan, Wisconsin, Ohio, Indiana, and Illinois.

In many colonies, the emancipation of the slave was impossible only in meritorious cases where a permission from a governor had to be issued. As an illustration of this we have the case of "Will" who was emancipated by the General Assembly of Virginia because he had been signally serviceable in discovering a conspiracy of divers Negroes in

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"The similarity of the name to that of one of the signers of the Declaration of Independence, the father of one of the presidents and the great grandfather of another, is at least suggestive."¹

Emancipation was carefully guarded, and the theft of a slave was a capital offense and punishable by death. "The master or his agent was not guilty of a felony should a slave, while resisting his master.....meet with death."²

In a letter to Mr. Horace Greeley on August 22, 1862, Abraham Lincoln wrote: "If there be those who would not save the Union unless they could at the same time save slavery, I do not agree with them. If there be those who would not save the Union unless they could at the same time destroy slavery, I do not agree with them. My paramount object is to save the Union, and not either to save or destroy slavery. If I could save the Union without freeing any slave, I would do it; if I could save it by freeing all the slaves, I would do it; and if I could do it by freeing some and leaving others alone, I would also do that. What I do about slavery and the colored race, I do because I believe it helps to save this Union; and what I forbear because I do not believe it would help to save the Union."³

The Union army had won but few victories; fall³ had come and nothing had been accomplished. The president was besieged with requests in the form of addresses, letters and memorials to "do something." A delegation representing the various Prot-

1. Cromwell, J.W., The Negro in American History, p. 7.

2. Cromwell, J.W., loc. cit.

3. Williams, G.W., History of the Negro Race in America, p.254.

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The delegation, not discouraged, urged that the policy of emancipation would strengthen the cause of the Union in Europe. Nine days after his refusal - September 22, 1862, the President signed the Emancipation Proclamation stating:

"That on the first day of January, in the year of our Lord one thousand ^{eight} ~~one~~ hundred and sixty-three, all persons held as slaves within any state or designated part of the state, the people whereof shall then be in rebellion against the United States shall be then henceforward and forever free; and the Executive Government of the United States, including the military and naval authority thereof, will recognize and maintain the freedom of such persons and will do no act or acts to repress such persons, or any of them, in any efforts they make for their actual freedom."

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II. THE SOCIAL STATUS OF THE NEGRO WOMAN

1. Master-slave Relation.

Negro women slaves were generally shown some indulgence for three or four weeks previous to childbirth. At such times their masters refrained from punishing them. If the women did not finish tasks assigned to them or otherwise failed to perform duties, these omissions were met with only a reprimand. Sometimes they were overlooked altogether. Four weeks generally were allowed, after the birth of a child, before a woman was compelled to go into the field again. When time came for her to return to work she took her baby with her. Sometimes, however, infants were cared for by a slave girl or boy while the mothers were at work. When no child could be spared, or when no child was old enough to look after the infants, the mothers, after nursing, laid their babies under a tree or beside a fence and went on to their tasks. Mothers returned at intervals to nurse their babies.

Babies left in this manner were generally not cared for properly and their lives were often endangered. The women were obliged to work from daylight until dark, without regard to age or physical condition. The same labor was required of women and men alike in many instances, such as digging of ditches, clearing of lands, chopping of cord wood and threshing.¹

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The Negro slaves endured much cruelty as is indicated by this narrative related by an old ex-slave woman.¹ "On a plantation in South Carolina, I witnessed a similar case of suffering—an aged woman suffering under an incurable disease, in the same miserably neglected situation (lying in a corner of the hovel with a ^{few} filthy rags under her head). The 'owner' of this slave was proverbially kind to her Negroes; so much so that the planters in the neighborhood said she spoiled them, and set a bad example which might produce discontent among surrounding slaves; yet I have seen this woman tremble with rage when her slaves displeased her, and heard her use language to them which could only be expected from an inmate of Bridewell (a prison); and have known her in a gust of passion to send a favorite slave to the workhouse to be severely whipped.

"Another fact occurs to me. A young woman about eighteen stated some circumstances relative to her young master where they were thought derogatory to this character. Whether false or true, I am unable to say; she was threatened with punishment, but perished in affirming that she had only spoken the truth. Finding her incorrigible, it was concluded to send her to the Charleston workhouse, and have her whipped; she pleaded in vain for a commutation of her sentence, not so much because she dreaded the actual suffering, but because her delicate mind shrunk from the shocking exposure of her person to the eyes of brutal and licentious men; she declared to me death would be preferable; but her entreaties were in vain, and as there was

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no means of escaping but by running away, she resorted to it as a desperate remedy, for her timid nature never could have braved the perils necessarily encountered by fugitive slaves had not her mind been thrown into a state of despair.

"She was apprehended after a few weeks by two slave-catchers in a deserted house, and as it was late in the evening, they concluded to spend the night there. What inhuman treatment she received from them has never been revealed. They tied her with cords to their bodies and supposing they had secured their victim, soon fell into a deep sleep, probably rendered more profound by intoxication and fatigue; but the miserable captive slumbered not; by some means she disengaged herself from her bonds and again fled through the lone wilderness.

"After a few days, she was discovered in a wretched hut which seemed to have been long uninhabited; she was speechless, a raging fever consumed her vitals and when a physician saw her, he said she was dying of a disease brought on by over fatigue; her mother was permitted to visit her, but ere she reached her, the damps of death stood upon her brow, and she had only the sad consolation of looking on the death-struck form and convulsive agonies of her child."

Angelina Grimke Weld tells of another slave girl who was sent to the workhouse to be flogged, and who was accordingly stripped naked and whipped, leaving deep gashes on her back large enough to insert one's fingure where the flesh had been
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Angelina Grimké tells of another slave girl who was sent to the workhouse to be flogged, and who ran away, if whipped naked and whipped, leaving deep scars on her back large enough to leave one's fingers where the flesh had been cut out by the torturing lashes.

Another slave-holder, after flogging a little girl of about thirteen years old, set her on a table with her feet fastened in a pair of stocks. He then locked the door and took out the key. When the door was opened, the little girl was found dead since she had fallen from the table. The owner was not held for murder as the child was "Mr. Owner's" property and if he choose to suffer the loss, no one else could do anything about it.

House servants were fed on what the families left. As their food was often short, they were whipped for the crime of stealing food. On the plantations their food was principally hominy. It was really cracked corn, boiled. In the cities the house servants were generally decently clothed, while some favorites among them were richly dressed, but servants on the plantations had the most haggard and squalid appearances.

One writer expresses hope of better treatment of women slaves in her narrative.¹ "However far gone a community may be in brutality, something of protection may yet be hoped for from its public opinion, if respect for woman survives the general wreck; that is gone, protection perishes; public opinion becomes universal rapine, outrages, once occasional, become habitual; the torture which was before inflicted only by passion, becomes the constant product of a system, and instead of being the index of sudden and fierce impulses, is coolly plied as the permanent means to an end; when women are branded with hot irons on their faces; when iron collars with

1. The Anti-Slavery Examiner, p. 153.

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prongs are reverted about their necks; when iron^{rings} are fastened upon their limbs and they are forced to drag after them chains and fetters; when their flesh is torn with whips and mangled with bullets and shot and lacerated with knives; and when those who do such things are regarded in the community and associated with as 'gentlemen and 'ladies' ; to say that the public opinion of such a community is a protection to its victims . . ."

The "Mammy" was one of the most important members of the master's family. She often slept in the room with the white children, and all the family secrets were in her keeping. The tie of affection between her and the children she cared for lasted until death. She was frequently the confidential adviser of the older members of the household. To the younger members she also gave advice and to the young mothers, she was an authority on babies; she was regarded highly by whites and blacks. Mammy's cabin was the white children's playhouse, and her authority was next to that of the mistress; her regime extended through two generations, and sometimes three. When the children grew and went away, they embraced her with the same affection as in childhood. At a certain wedding of one of "mammy's" children, she sat like a silent spectre, beside the altar. She was the nurse and foster mother of the bride¹ and could not bear parting with her child.

In a social system constituted of two classes, one exploiting the other, the virtue of women of the subjected class is never respected. American slavery almost universally

1. Calhoun, Social History of the American Family, p. 283.

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debauched slave women. If their master approached their chastity, they dared neither to resist nor complain. "A white woman could assume the attitude of self-defence, and if she wounded, maimed, or even killed her brutal assailant, the law would exculpate her, and she would be honored for her resistance; but she who has a colored skin dares not resist or attempt any opposition; and if through the impulse of desperation she would forfeit her mortal existence if the fact was presented to one of their execrable criminal courts; and if that course was not adopted her whole life would be subjected to her despot's un-¹ceasing and malicious revenge."

Early in the nineteenth century, the North Carolina Supreme Court decided that a white man could not be convicted of fornication and adultery with a slave woman because she had no standing in court. Often in order to produce mulatto girls, masters compelled the slave woman to submit to impregnation of whites, and if they refused, they were punished brutally. Negro women were submitted to every kind of insult. Negro men were exasperated at the deprivation of their wives, but they were helpless in defence of themselves.

This situation of Negro mistresses and white masters caused white women sometimes to be jealous of their rivals. One mistress, on ungrounded jealousy, had slaves hold a Negro girl down while she cut off the fore part of the victim's feet. The girl was then thrown into the woods to perish. A man saved her and her master freed her in order to enable her to escape from

1. Bourne, G., Slavery Illustrated, p. 47.

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One New Orleans lawyer had a mistress for seven years who was a pretty mulatto girl, while all the time he was courting a white woman. When he married, his wife required that he discard her mulatto rival, and the girl became insane. Another man, who by many years of slave trade from Virginia to Mississippi and Louisiana had made enough money for a good social standing, decided to marry. He had for years kept a beautiful mulatto woman in a richly furnished house with servants to wait on her. The woman was of the belief that she was free, and that her children would inherit their father's wealth. One night she was awakened from her slumber, gagged, and put aboard a steamboat. She was carried away and sold.

2. Family Relations.

The Negro family sprang from two sources. First, family tradition was built up by a large class of free Negroes who had acquired some degree of culture and property; second, the Negro family took roots within the slave institution and grew out of the natural bond of affection existing between man and wife and between parents and children. In instances where slavery took on a patriarchal aspect, the interest of the master often kept them from breaking up families, and some regulation of sex matters were enforced. On the other hand, where slavery was only an instrument of production and subject to the will of the overseer, Negro family ties were broken whenever a matter of economic interest was concerned. When masters were more

1. Calhoun, A.W., A social History of the American Family, p. 309.

2. Frazier, E.F., The Negro Family, The Annals of the American Academy of Political and Social Science, Vol. 140, no. 229, Jan. 1928, p. 45.

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considerate, slaves had their family in the slave quarters of the plantation.

Marriage systems among slaves were chaotic in its attempt to adjust the African system of polygamy, which deeply involved the structure of the tribe, which was lacking in the new environment to which they were brought. Christian marriage was not introduced to the slaves until the last years of the slave era by missionaries. Slavery was inherited from the mother. The child born of a slave mother took on the status of the mother, irrespective of that of the father. In the female family, the children inherited the mother's status, and property from the mother; descent was traced only through the females.

When white men mated with Negro women, their children were colored and were slaves if the mothers were slaves. A slave woman or a free Negro woman would reside in a white man's house, nominally as a servant or "housekeeper", but actually as a quasi-wife. Although she was not treated as an equal, she assumed the status of mistress of the household. Records show where the masters often bought their housekeepers outright and later freed them. Women received better treatment in this connection than by belonging to the "big house", and often these quasi-marriages were permanent, although not legal. "White men avoided legal marriage with Negro women only because of racial pride."¹ A white wife, in 1830, was more truly a slave in many instances than was her Negro servant. The Negro woman who assumed the position of mistress of a home escaped both servitudes, that of

1. The Sociological Review, Vol. 27, no. 1., Jan. 1935, p. 45.

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A historian of Mississippi pictures the master of the plantation as the head of a family of which the slaves considered themselves members, while the mistress was pictured as head nurse and stewardess since she had charge of the sick, the children and the distribution of clothing.¹

On some plantations, pregnancy, childbirth and the care of children were matters of great concern. "Pregnant women are always to do some work up to the time of their confinement, if it is only walking into the field, and staying there. If they are sick, they are to go to the hospital and stay there until it is pretty certain time is near."² Lying-in women were attended by a midwife and another woman who nursed them for two weeks. Nursing mothers were not required to leave their homes until sunrise, then they left their children with someone. The period of nursing was twelve months. It was a rule that the mother was to cool off, and wait at least fifteen minutes in the summer, before nursing her offspring. At each nursing, the mother was given forty-five minutes to stay with her child. Until the child was eight months old, the mothers were allowed to nurse it three times a day: in the middle of the forenoon, at noon, and in the middle of the afternoon. When the child reached the age of eight months, she returned twice a day, missing noon, and at twelve months of age, the mother nursed it at noon only.

1. Calhoun, A.W., A Social History of the American Family, Vol. 2, p. 281.

2. Phillips, U.B., The American Negro in Slavery, p. 264.

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1. Garrison, A.W., A Social History of the American Family.
Vol. 2, p. 281.
2. Phillips, U.S., The American Negro in Slavery, p. 284.

The nursing mother was supposed to do three-fifths of the work done by a slave. Pregnant women at five months were placed in the suckler's gang, and they were not required to plow or lift heavy objects. Sucklers, old and infirm women received the same allowances as the full work hands. Each woman on confinement was given clothing for the infant, pieces of cloth and food as sugar, rice and flour.¹

The following marriage ceremony was formulated in Andover, Massachusetts by the Rev. Samuel Phillips after 1710.²

"You, Bob, do now in ye Presence of God and these witnesses, Take Sally to be your wife, Promising that so far as shall be consistent with ye Relation which you now Sustain as a servant, you will Perform ye part of a Husband towards her: and in particular, as you shall have ye opportunity and ability, you will take proper care of her in Sickness and Health in Prosperity and Adversity, "And that you will be True and Faithful to her, and Cleave to her only so long as God, in his Providence, shall continue you and her abode in Such Place (or Places) as that you can conveniently come together.

Do you thus Promise?

"You, Sally, do now, in ye Presence of God, and these Witnesses, Take Bob to be your Husband;

"Promising, that you will Perform the Part of a wife toward him; and in particular, You Promise that you Love him; and that as you shall have the Opportunity and Ability, you will take a proper care of him in Sickness and Health; in Prosperity

1. Phillips, U. B., American Negro Slavery, P. 264
2. Williams, G. W., History of the Negro Race in America, Vol. 1, p. 192.

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"And you will cleave to him only, so long as God, in his Providence, shall continue his and your Abode together. - Do you thus Promise? I then, agreeable to your Request and with ye Consent of your Masters and Mistresses, do Declare that you have Lieense given you to be conversant and familiar together as Husband and Wife, so long as God shall continue your Places of Abode as aforesaid; and so long as you Shall behave yourselves as it become the servant to doe:

"For you must both of you bear in mind that you remain still, as really and truly as ever, your Master's Property, and therefore it will be justly expected, both God and Man, that you behave and conduct yourselves as Obedient and faithful Servants towards your respective Masters and Mistresses for the Time being....."

3. Personal Narratives.

If the reader has not already arrived at some conclusion, as to what the social status of the Negro woman was during slavery from the material already given, I feel that citing some of the stories told by slave women themselves will do much to establish a fair idea of her social position during that period.

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Harriet Tubman writes: "I grew up like a neglected weed, - ignorant of liberty, having no experience of it. Then I was not happy or contented; every time I saw a white man I was afraid of being carried away. I had two sisters carried away in a chain-gang, one of them left two children. We were

1. Drew, B., A North Side View of Slavery, p. 30.

"And you will always be his only, as long as God, in His Providence, shall continue his and your Abode together. - Do you then Promise? I then, agreeable to your Request and with the Consent of your Masters and Mistresses, do declare that you have likewise given you to be conversant and familiar together as Husband and Wife, as long as God shall continue your Places of Abode as aforesaid; and so long as you shall behave yourselves as it becomes the servant to do;

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always uneasy. Now I've been free, I know what a dreadful condition slavery is. I have no opportunity to see my friends in my native land. We would rather stay in our native land, if we could be as free there as we are here. I think slavery is the next thing to hell. If a person would send another into bondage, he would, it appears to me, be bad enough to send him into hell, if he could."

The woman who gave the following narrative withheld her name for private reasons.¹ "I was held as a slave in - , without even legal right according to the slave laws. When I was ten years old, a young man was punishing me - I resisted; I was in consequence called "a rebellious wretch", and put out of the family. At the place where I was hired, it happened on communion Sunday in March, that the dogs got hold of a pig, and bit a piece off its ear. In consequence of this misfortune to the pig, a boy of sixteen years, or theabouts, was whipped in the barn; and a man slave was tied up to a tree with his arms extended and whipped. The blood ran as they whipped him. His wife had to take care of him and dress his wounds. It affected me so that I cried, and said I wouldn't stay at the place, - then the same ...whipped me. At 12 o'clock that night, I ran away.....

"After my escape from slavery, I married a free colored man. We were comfortably settled in the States, and were broken up by a fugitive slave law - compelled to leave our home and friends and go at later than middle life, into a foreign country among strangers.."

1. Drew, B., A North Side View of Slavery, p. 31.

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Mrs. James Seward relates: "The slaves want to get away bad enough. They are not contented with their situation. I am from the eastern shore of Maryland. I never belonged but to one master; he was very bad indeed. I was never sent to school, nor allowed to go to church. They were afraid we would have more sense than they. I have a father, three sisters and a brother. My father is quite an old man, and he is used very badly... A sister of mine has been punished by his taking her clothes and locking them up because she used to run when master whipped her. He kept her at work with only what she could pick up to tie on her for decency. He took away her child which had just begun to walk, and gave it to another woman - but she went and got it afterward. My master could not manage to whip my sister when she was strong. He waited until she was confined, and the second week after her confinement he said, "Now I can handle you, now you are weak." She ran from him, however, and had to go through water, and was sick in consequence.

"I was beaten at one time over the head by my master until the blood ran from my mouth and nose; then he tied me up in the garret with my hands over my head, - then he brought me down and put me in a little cupboard where I had to sit cramped up, part of the evening, all night, and until between four or five o'clock next day without any food. The cupboard was near a fire and I thought I should suffocate..."

Mrs. James Howard relates: "The slaves want to get away bad enough. They are not contented with their situation. I am from the eastern shore of Maryland. I never belonged but to one master; he was very bad indeed. I was never sent to school, nor allowed to go to church. They were afraid we would have more sense than they. I have a father, three sisters and a brother. My father is quite an old man, and he is used very badly... A sister of mine has been punished by his taking her clothes and locking them up because she used to run when master whipped her. He kept her at work with only what she could pick up to live on her for decency. He took away her child which had just begun to walk, and gave it to another woman - but she went and got it afterward. My master could not manage to whip my sister when she was strong. He waited until she was confined, and the second week after her confinement he said, "Now I can handle you, now you are weak." She ran from him, however, and had to go through water, and was sick in consequence.

"I was beaten at one time over the head by my master until the blood ran from my mouth and nose; then he tied me in the garret with my hands over my head, - then he brought me down and put me in a little cupboard where I had to sit cramped up, part of the evening, all night, and until between four or five o'clock next day without any food. The cupboard was next a fire and I thought I should suffocate..."

Here is a story of a slave whose master was her father¹ and Mrs. Henry Gowens gives her account: "My name in the South was Martha Martin. When I came to the North I took the name of Martha Bentley - Bentley being my mother's name before she was married. My father was my master, Mr. - , who died in 1843. He lived in Georgia, but removed with one set of farm hands to Mississippi. He had one other child by my mother, but it died young. He liberated all the children he had by my mother and one other slave woman, with one exception - that was a daughter whom he had educated and put to the milliner's trade. After she had learned the trade, he put her in the business. But he found she had two children by a white man. This so enraged him that he carried her two children back to his farm and put her to work in the field and there he said she was to die. The father of the two children came one day and offered two thousand dollars for the woman and the children, as he wished to marry her. But her father would neither let him have her nor his children. Afterwards he offered three thousand dollars, then five other grown up slaves, for Minerva and the two children; but my master told him he would not, but if he ever set foot on the farm again, he would blow his brains out...

"I have known many owners to have two or three colored women for wives and when they got a white wife, keep all. If the slave woman would not comply she would be whipped or else sold to the lowest, meanest fellow he could find..."

²
Here we have the story of Lydia Adams. "I am seventy

1. Drew, B., A North Side View of Slavery, p. 143.

2. Ibid., p. 338.

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 Here we have the story of Igla Adams. "I am severely

or eighty years old. I was from Fairfax County, Virginia. I was married and had three children when I left there for Wood County where I lived for twenty years, thence to Missouri, removing with my master's family. One by one they sent four of my children away from me and sent them to the South; and four of my grandchildren all to the South but one. My oldest son, Daniel, then Sarah, all gone. 'Its no use to cry about it', said one of the young women, 'she's got to go.' That's what she said when Esther went away...

"I've been waiting to be free ever since I was a little child. I said to them I didn't believe God even meant me to be a slave if my skin was black - at any rate, not all my lifetime; why not have it as in old times, seven years a servant? Master would say, 'No, you were made to wait on white people.'

And lastly, Mrs. Sarah Jackson tells her story:¹ "I belonged to a bachelor, who said I might come away with my three children if I chose. I always desired to come to a free state; and I could not bear the idea of my children being slaves. He did no think I really would leave, although he said I might. There was some opposition from his relatives they told me that they thought I was mighty foolish to come away from a good master. I thought I wasn't foolish, considering I had served all my days, and did not feel safe at night: not knowing who I might belong to in the morning. It is a great heaviness on a person's mind to be a slave. I never looked right to see people taken and chained in a gang to be driven off. I never could

1. Drew, B., A North Side View of Slavery,

or eighty years old. I was from Fairfax County, Virginia. I was married and had three children when I left there for Wood County where I lived for twenty years, thence to Missouri, re-moving with my master's family. One by one they sent four of my children away from me and sent them to the South; and four of my grandchildren all to the South but one. My oldest son, Daniel, then Sarah, all gone. 'I's no use to cry about it.' said one of the young women. 'She's got to go.' That's what she said when Father went away....

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bear to see my color all fastened together, to go to such a place as down the river. I used to go in the house and shut myself up. I did not know how long before it would be my own fate. I had just enough to pay my way here. I expect to work for a living, and I am trying to get a house. I am better here than I was at home, - I feel lighter, - the dread is gone. I have a sister and brother, slaves in Kentucky. I intend to send my children to school. I have been here about a week."

These personal narratives of slave women serve to indicate in part some of the cruelties, inhuman treatment, rudeness, ignorance, poverty and neglect to which the Negro woman was subjected during slavery.

The condition of the Negro in America is a subject of great interest to all who are concerned with the welfare of the human race. It is a subject which has attracted the attention of the world, and it is one which has been the subject of much discussion and debate. The condition of the Negro in America is a subject which has attracted the attention of the world, and it is one which has been the subject of much discussion and debate.

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III. THE RELIGIOUS STATUS OF THE NEGRO WOMAN

1. Religious Background.

The religion of Africans was a belief in a world of spirits and an effort to be guided by them.¹ They believed in the immortality of man and that he could commune with the spirits of the dead. A native placed offerings of food and drink on the grave, and addressed the spirit of the departed. For the natives, there were spirits in the trees, in the birds, and these were spirits of the low ones who had gone hovering about them. While the native believed in God, there were varying conceptions of Him. Some had the idea that God was a generative and fertilizing force, not confined to human beings, so they offered the first fruits of every spring-sowing, and the firstlings of stock-raising as a sacrificial offering in return for having been begotten by Him. Nearly all the prayers ended in a petition for fruitfulness of their fields, the blessings of children in their families and aid in propagation. Running throughout the routine of the life of the African was his religion. In their own groups, the African considered an untruth a sin.

The settlement of the Negro in America brought him in contact with entirely new conditions and situations of life to which it was necessary for him to make adjustments.² Being a slave, the Negro was exposed to religious domination. They

1. Woodson, C.G., *The Negro in Our History*, see Chapt. 2.

2. Mays and Nicholson, *The Negro's Church*, p. 1.

were subjected to a religion which insisted upon obedience to their masters and to their mistresses and which inculcated forgiveness of injuries. It was profitable to the slave holders to teach this type of religion, humility, obedience, and patience, which taught the slave, if he was smitten on one cheek, to turn the other to be smitten also, and that servility was **itself** a Christian virtue.

A few of the slaves who were brought to ~~A~~¹merica were Mohammedans and a few could read the Koran. The majority of them were uneducated and superstitious. Since in the United States it was a crime to teach the slaves to read and write, they remained illiterate.

Notwithstanding the obstacles the Catholic schools in Washington and Baltimore experienced, they began educating Negro children as early as 1829 but they were compelled to suspend the slave schools as a passage of a law made it criminal to teach a slave to read and write.²

2. Religious Training.

The religious institutions of the colonies attempted in many instances to convert the Negroes to Christianity, but their efforts were not forceful enough all of the time. Practically every denomination existing in the white institutions was found in the Negro institutions with creeds, rituals, ceremonies. The Negro spirituals of the revival and camp meeting of the nineteenth century were patterned on the words and melodies of the white spirituals. Although the Negroes introduced some changes especially in rhythm, the structure was essentially the same.²

1. Brawley op. cit., p. 54.

3. Social Forces, Vol, 13, no, 1. Oct 1934 Negro Institutions - G. B. Johnson.

2. Journal of Negro History Vol2, April 1917, no 2, p. 404.

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S. B. Johnson, Vol. 1, No. 1, Oct 1934 Negro Institutions -
S. Journal of Negro History Vol. 1, April 1917, no 2, p. 404.

"It is easy to suppose that Negroes would have produced a highly emotional type of religious behavior even if the white revival movement had not touched them. It is very doubtful if such would have been the case, however, for in those localities along the seaboard the revival, the prevailing Negro religious behavior is temperate. It is true that in certain isolated sections, like the sea islands of South Carolina, there are probably African elements in the institution known as the "shout", but it is interesting to note that the "shout" is usually segregated from the church service proper.¹"

As a slave, the Negro was considered less than human, incapable of mental discipline through formal training. All rights of citizenship were denied him, and he had to worship and serve God under supervision and close scrutiny. Under this religious domination, the creation of the spirituals was imperative in order that the slave might adjust himself to his new and hostile environment. These spirituals were songs that expressed the restrictions and the dominations which the slaves experienced on the plantation, and the songs represented the soul life of the creators; the following are examples: -

O Mary, don't you mourn,
O Mary, don't you weep, don't you mourn;
Pharaoh's army got drown-ded,
O Mary, don't you weep!

The way of evil doing is wide and fair,
And many, many, many they do perish there;

Pharaoh's army got drown-ded,
O Mary, don't you weep! p.

1. Social Forces, Vol. 13 - no. 1.

2. See White, N. I., American Negro Folk Songs

There was a mighty man who came on earth to save,
Thro' Him we stem the tide of tribulations wave;

Pharoh's army got drown-ded,
O Mary, don't you weep!

And this song which one can almost see a Negro slave woman singing:

Hold my bonnet and hold my shawl 1
While I shout in the cool, good Lawd.

The religious songs of the Negroes were not so striking as the songs, which their fathers brought from Africa. In singing these songs the slaves would keep time with their feet, or clap their hands, often shedding tears in the rapture of their devotion. There was hardly a plantation in the South where one could not find two or three different sects of christians.

The slaves who were christians were distributed as follows: ²

Missionary and Hard Shell Baptists	175,000
Connected with Methodist Church South	200,000
Methodist Church North in Virginia and Maryland	15,000
Old School Presbyterians	15,000
New School Presbyterians	20,000
Protestant Episcopalian	7,000
Disciples of Christ	10,000
All other sects combined	20,000

Without regard to differences in religious beliefs, the slaves often held common prayer meetings two nights in every week, where the master sometimes expounded to them the word of God. ³

The slaves managed to weave into their songs the simple picture of the Cross from the tangled threads of their own fancies.

Their idea of hell was that the Devil was a black man, with horns who literally burned up the wicked with fire and brimstone. Their idea of heaven was that God was a gracious white man.

1. See Whitem N.I., American Negro Folk Songs.

2. Hundley, D.R., Social Relations in Our Southern States p. 297.

3. Ibid., pp. 348-349

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Hold my banner and hold my shield,
 While I shout in the cool, good land.

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Without regard to differences in religious beliefs, the slaves often held common prayer meetings two nights in every week, where the master sometimes expounded to them the word of God. The slaves managed to weave into their songs the simple picture of the Cross from the tangled threads of their own fancies. Their idea of hell was that the Devil was a black man, with horns who literally burned up the wicked with fire and brimstone. Their idea of heaven was that God was a gracious white

man presiding over the New Jerusalem, where they would be white angels, wearing silver slippers, walking along payments of gold. The reason for this belief was simple. They had been taught to believe that everything sinful was black and every thing righteous was white. They had been given the worst of life while the whites enjoyed the best; hence their belief that the Devil was black and God, white and that in order to enter heaven they would have to transformed into white angels.

A northern writer was deeply interested in some of the prayer meetings of the slaves and he furnishes the following specimen¹:

"O my heavenly Father," said an old woman, "I am thy child. I know I love thee. Thou art my God, my portion, and nothing else. O my Father, I have no home in this world; my home is very far off. I long to see it. Jesus is there; thou there, Angels, good men are there. I am coming home . I am one day nearer to it."

This prayer indicates the prevailing psychology of the slaves. They having to endure so many hardships in this life were captivated with a glowing vision of a better life after death.

Some of the planters were actively interested in the religious life of their slaves, providing chapels for their meetings.¹ On Sundays, strictly observed as holidays, in some sections, the children of the slaves were usually taught by some member of the master's family, while church members might worship at a neighboring church if services were not held on the plantation. Sometimes missionaries were employed to instruct the slave, to teach him to

1. Flanders, R.B., Plantation Slavery in Georgia.

2. Adams, D.D., South Side View of Slavery, p. 55

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Planters, A.B., Plantation Slavery in Georgia.
J. Adams, D.D., South Side View of Slavery, p. 72

be a humble and good servant and to be satisfied with the expectation of a happy life in heaven. There was developed in them the master-slave psychology, exemplified in the hymn, "You can take all the world, but give me Jesus." (The slave-holders took all the world including even the slaves themselves as property, leaving the blacks with only their religion.)

An organized group, "The Association for the Religious Instruction of Negroes in Liberty County, Georgia," in 1831 laid down the following rules for religious teachings:

1. To visit no plantation without permission, and when permitted, never without previous notice.
2. To have nothing to do with civil conditions of the Negroes or with their plantations affairs.
3. To hear no tales respecting their owners.
4. To be no party to their quarrels, but cultivate justice impartiality, and universal kindness.
5. To condemn every vice and evil.
6. To preserve the most perfect order at all meetings.
7. to impress the people with the value of religious instruction and to invite their cooperation.
8. To make no attempt to create temporary excitements or to introduce any new plans or measures; but make diligent and prayerful use of the established means of God's appointment.
9. To support, in the fullest manner, the peace and order of society, and to hold up to their respect and obedience all those whom God, in his providence, has placed in authority over them.

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8. To make no attempt to create temporary excitement or to introduce any new plans or measures; but make diligent and perpetual use of the established means of God's appointment.
9. To support, in the fullest manner, the peace and order of society, and to hold up to their respect and obedience all those whom God, in his providence, has placed in authority over them.

10. To notice no slights or unkindness shown to me personally; to dispute with no man about work, but depend upon the power of the truth and upon the Spirit and blessings of God, with long suffering, patience, and perseverance, to overcome opposition and remove prejudices, and ultimately bring all things right.

The planters fearing the abolitionists or the effect of a revival, exercised great care in their attempt to instruct the slaves, and opposed all excitement or any tense display of emotionalism at the meetings.

Charles Colcock, who was considered the great individual religious instructor among the slaves in Georgia, in addition to laboring for their spiritual welfare, visited the sick and taught the catechism to the children.

3. The Attitude of the Church.

The church exploited the class ignorance of the Negro slaves, and upheld erroneous ideas which it taught concerning the social structure of the world. It was interested in perpetuating the belief in saints, angels and devils; it preached, "Slaves, obey your masters," and, "Jesus was born not to free slaves, but in order to make the bad slave a good slave." The church sanctioned slavery by teaching passages from the Bible which carried the master-slave psychology; examples follow:

"If he (the slave) be not obedient, put on more heavy fetters.¹"

"And that servant which knew his Lord's will and pre-

1. Ecclesiasticus - Chap. 33, verse 28.

"And that servant which know his Lord's will and pre-

ferred."

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10. To notice no slight or kindness shown to me

pared not himself, neither did according to his will, shall be beaten with many stripes.¹"

"Slaves must honor, obey and work for your masters," was the teaching of the church to the slaves.

It was the idea of the church that if the slave was converted into the Christian religion that the benevolent people would be solaced for the whole slavery system. Slaves were expected to attend church where they occupied the gallery seats, sometimes on the corner was reserved for them. On the large plantations, it was customary for slaves to have a meeting on Sundays, the law requiring at least one white person to be present.

In 1724, some questionnaires were sent to the clergy for the purpose of finding out the condition of the Negroes in the colony and at the same time to inquire about the condition of the church. The following questions were asked:² "Are there any infidels bound or free with your parish and what means are used for their conversion?" The following answers will illustrate the attitude taken by the church on the subject of the improvement of the Negro race.

"No, excepting Negroes and mulattoes. By means for their conversion is preaching and catechising."

St. Paul's Parish Church answered: "I have no Indians in my parish. The Negroes (when their masters desire it) are baptized when they can say the church catechism."

1. St. Luke, Chapt. 12, verse 47.

2. West, G.M., Status of the Negro in Virginia, p. 63.

Gibson, the Bishop of London, in 1727, made a powerful appeal to the colonists, in behalf of the religious education of the Negroes. From the beginning, the "Society for the Propagation of the Gospel" was a holder of slaves. The church in Virginia and the separate ministers themselves in some cases were slave-holders. The Church, although attempting to care for the spiritual welfare of the Negro, sanctioned slavery and in many instances were slaveholders.

In Georgia, as a general rule, the Negroes received the gospel from the same preachers and in the same churches with their masters, occupying the galleries or portions of the church assigned to them. In case separate buildings were provided, the Negro congregation was merely an appendage to the white, the pastor conducting separate meetings for them.

Albert Barnes writes:¹ "Not a few church members are slave holders. Compared, indeed, with all the members of the church in the land, or compared with those who are slave-holders who are not members of the church, the number is few; but in the aggregate the number of members of the church, in all the religious denominations, who hold their fellowmen in bondage, is not small. .. It is to be conceded, also, that a portion of these are ministers of the gospel and others who bear important offices, and who sustain important stations in the churches... There are those also in the churches who purchase and sell slaves as they do any other property; who buy them that they may avail themselves of their unrequited labor, and who sell

1. Barnes, A., The Church and Slavery, p. 12.

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them as they do any other property, for the sake of gain.

It is to be admitted, also, that there are those who thus hold slaves under the laws which forbid their being taught to read and who comply with those laws; under laws which restrain their religious liberty, and who comply with those laws; under laws which prevent all proper formation of the marriage relation...

"Not a few ministers of the gospel and members of the churches, either apologize for slavery or openly defend it, even as it exists in the United States...

"There are those who defend the system as one authorized by the Bible and as having for its sanction the authority of God: who refer to it as a "patriarchal institution, sustained by the example of the holy men of early times...

"There are those in the ministry, and those who are private members of the churches, who, whatever may be their real sentiments, are, from their position, their silence, or their avowed conservatism, classed in public estimation with the apologists for slavery, and whose aid can never be relied on in any efforts for the emancipation for those who are in bondage....

"Large portions of the church are in the midst of slavery. The institutions which surround the church are those which are connected with slavery...

On the other hand, the whole society of Friends opposed slavery as did one half of the Methodist Church in the United States and the entire Methodist denomination abroad. All

then as they do any other property, for the sake of sale. It is to be admitted, also, that there are those who hold slaves under the laws which forbid their being taught to read and who comply with those laws; under laws which restrain their religious liberty, and who comply with those laws; under laws which prevent all proper formation of the marriage relation... "Not a few ministers of the Gospel and members of the churches, either apologize for slavery or openly defend it, even as it exists in the United States..."

"There are those who defend the system as one sanctioned by the Bible and as having for its sanction the authority of God; who refer to it as a 'biblical institution,' sustained by the example of the holy men of early times..."

"There are those in the ministry, and those who are private members of the churches, who, whatever may be their real sentiments, are, from their position, their silence, or their avowed conservatism, classed as public sympathizers with the apologists for slavery, and whose aid can never be relied on in any efforts for the emancipation for those who are in bondage..."

"Large portions of the church are in the midst of slavery. The institutions which surround the church are those which are connected with slavery..." On the other hand, the whole society of Friends opposed slavery as did one half of the Methodist Church in the United States and the entire Methodist denomination abroad. All

branches of the Scotch Church were against the system. The Presbyterian Church later recognized the evils of slavery and exerted its influence in attempting to abolish it, as did the Quakers.

Rev. H. B. Albott, pastor of the Methodist Episcopal Church at Augusta, Maine, was formerly a counselor of law in Mississippi. In a letter dated April 10, 1854, says:¹
 "I am acquainted with a Baptist preacher in Mississippi who compelled his slaves to labor on the Sabbath and justified himself under the plea that if they were not at work, they would be sporting, and roving about the fields and woods, thereby desecrating the Sabbath more than by laboring under an overseer."

Through out the south, Sunday instead of being a day of rest, or of worship was occupied mainly in pleasure and sport for the slave-holder and work for the slaves.²

One minister named Rev. "D" owned Nelly, a quadron, who was a bright sensitive girl of seventeen. He never allowed her to attend church and on Sundays when he was preaching, Nelly had to dust and put his books in order and clean up his room.³
 Rev. Albert Barnes declared that slavery could not live an hour out of the church, if it were not sustained within it.⁴

The colored churches in the South had no pastors, in the proper sense of that term. Sometimes the pastor of the church to which the slave holders belonged condescended to address the slaves. When the pastors of the white churches addressed the slave audience, they always counselled obedience and submission, otherwise they would not be permitted to speak.

1. Parsons, C.G., Inside View of Slavery p. 256.

2. Ibid., p. 254.

3. Ibid., p. 267.

4. Ibid., p. 269.

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I. Parsons, O. G., Inside View of Slavery p. 256.

E. Lobb, p. 256.

E. Lobb, p. 257.

A. Lobb, p. 259.

A preacher who was working among slaves in the south wrote a letter to his brother saying, "All attempts to preach the gospel and to do good thereby its influence, are utterly futile."¹ He was of the opinion that as long as slavery existed, the prevalence of religion among the people was impossible; and that the little benefit which morality and decorum produced among the slave-drivers was diminishing. In all the slave-holding States, preachers, lay officers, and church members of all denominations were the most infuriated advocates of the various privations and barbarities which were enacted and enforced under the pretended authority of the "southern institutions."

Also, he thought that the southern churches were one vast consociation of hypocrites and sinners. His reason for thinking this was that the churches received for communion the slave-holders, who purchased slaves and forced lewdness, expressly to multiply the bodies and souls of men and women for the human market, and girls sold for their prostitution and breeding.²

The Anti-Slavery Society of Boston wrote that Christian women should loudly denounce that code of laws and that unholy practice which nullifies the matrimonial covenant.³ Also, the society stated that the Christian women should insist that the churches excommunicate the slave-holders and that the women of the north should be a great force in the deliverance of their colored sisters in the south, from the contamination of the slave-holders. If they did not assume this attitude they would virtually be approving the debasement and pollution of their sex.

1. Bourne, Slavery Illustrated p. 118.

2. Ibid., p. 119.

3. Ibid., p. 122.

IV. THE ECONOMIC STATUS OF THE NEGRO WOMAN

1. As A Slave.

Importation of Negroes to the United States was for the purpose of labor. By the toil of their hands, ^{a portion of} the wealth of this great country was ~~made~~ possible.

A slave could own no property unless by sanction of his master, nor could he make a contract without his master's consent.¹ His marriage was really only concubinage in law, though in case of subsequent emancipation, it would become binding. It was not ~~a~~ crime to rape a female slave; merely trespass upon the master's property! The master was not liable for any damage done by a slave, unless at his order; but to the slave himself and to the community, the master was responsible for maintenance throughout life and for needful medical service. A neighbor, or any other person giving aid to slaves, was entitled to be repaid. Slaves themselves, however, could not be parties to suits at law, nor could they give testimony against white persons.

The body of law applicable to Sante Domingo and Louisiana for the Negroes was called le code noir. The law forbade slaves to possess weapons, to beat drums or blow horns in such a way as to convey signals, to strike any white person even in self defense, and to be out of their quarters after curfew. Many other repressive measures were inflicted.

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1. Phillips, U. B., Life and Labor in the Old South, p. 162.

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and their volume could hardly be controlled. The cost of keeping them had no relation to their market price. A woman frequently offered for sale was described as "a good breeder," but she brought little more than a barren woman and was not worth so much as a man of her age. Her service, however, was worth far more than her future progeny, and her fruitfulness, as a mother, automatically lessened her ability to work, during the nursing period. On the plantation, husbands and wives were comrades under the authority of the master, who was captain and quarter-master combined, giving orders and distributing rations.

The basic food allowance was a quart of corn meal and a half pound of salt pork a day for each slave, and, proportionably, for the children. This allowance was supplemented with sweet potatoes, field peas, syrup, rice, fruit, and vegetables, as the season might suggest. Clothes were of coarse materials and shoes were to worn only on Sundays and in the winter. A two-room hut was made to accommodate one slave family. Many of the large plantations were equipped with central kitchens and day nurseries, while infirmaries for scheduled visits were not unknown.

In many instances, the women were given special instruction to make them more efficient in their daily routine, and oft times the slaves assumed positions of relative responsibility.

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It often happened that the master obliged a slave

woman, who had no children by her first husband, after being a year or two together, to take a second and third husband. A fruitful woman was very much valued by the planters. No slave was allowed to cohabit with two or more wives or husbands at the same time. Babies were more welcome to slave women, sometimes, than to free women, for child-bearing brought lightened work during pregnancy and the nursing period.

The institution of slavery facilitated concubinage not merely by making Negro women subject to white men, but by promoting intimacy and weakening the so-called racial antipathy. Whatever shade or paternity, the children were the property of the mother's owner. Many of the mulattoes were freed by their fathers and vested with property.

Owners of slave women put more value on the women who were prolific in their generating qualities than those who did not bear children.¹ Fecundity was at a premium while admixture of white blood tended to improve the stock. About the end of the eighteenth century, in Virginia, an orphan white girl was indentured to a man who died insolvent, leaving her thus in the hands of a creditor. He treated her as a slave, and compelled her to cohabit with a Negro by whom she had several children. For every impregnation of a female slave, a certain planter offered a white man twenty dollars.

1. Calhoun, A. W., A Social History of the American Family, Vol. 2, p. 245.

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The southern plantation was a great trade school where the slaves received instruction in mechanic arts, in agriculture, in cooking, sewing and other domestic occupations. Although this instruction was given for the benefit of the master, the slaves in many instances got a good industrial training which was a great help when emancipation came. Usually, the women worked along side of the men in the different kinds of labor. Domestic industry was a matter of course, and female slaves in Old Virginia wove coarse cloth and fashioned it into suits. Cotton spinning was a home industry.

In 1679, in Maryland, the servants and Negroes after they had worn themselves down the whole day, ground and pounded the grain for their master's and all their families use.¹

The specialized slaves, in 1791, at Nomimi Hall consisted of eleven carpenters, two joiners, two gardeners. . and among the women, three housemaids, two seamstresses, a nursemaid, a midwife, a laundress and two spinsters.

Clothing constituted a large item in the expense maintenance of the slave.² The material for their clothing was manufactured on the plantation, although great quantities of coarse cotton cloth for dresses for the female slaves was purchased. Each woman was allotted six yards of cloth, and the children in proportion to their size.

1. Calhoun, A.W., A Social History of the American Family, Vol. 2, p. 230.

2. Flanders, R.B., Plantation Slavery in Georgia, pl. 159.

New blankets were given every second year, one each to a slave and one to every two children. The women were also given one kerchief and a pair of shoes a piece. For a summer dress each person was allowed a suit of homespun cotton, and the seamstresses on the plantation made the garments and mended them. The house servants were clothed in better clothes than the field hands; they often made use of the cast off finery of their mistresses.

Many of the slaves enjoyed the opportunities and privileges of the whites because of the lack of enforcement of the law. They were permitted to rent houses in the neighborhood, and were frequently illegal buyers of spirits and liquors; and during the colonial period slave and free Negroes were taxed as polls.

2. As a Freeman.

Free Negroes were not all on the same plane. In time they developed a social distinction which resembled that of the whites. Many of these were in possession of a considerable amount of property, while others who formed a lower class were mechanics and artisans and often found difficulty in making a living, and were many times subjected to financial embarrassment. The "well-to-do" free Negro did not merely consist of persons with large property attachments, but many of them owned slaves themselves and cultivated large estates. In 1860 of 390 slaves, 130 were assessed with taxes. In 1768, the first tax was levied on free Negroes as a separate class. In 1830,

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the United States Bureau of Census reported 3777 Negro heads of families owning slaves. Most of these had estates in Louisiana, Maryland, North Carolina, South Carolina and Virginia.¹ As has been mentioned in the earlier part of this study, a free Negro woman by the name of Marie Louise Bitand was a woman of wealth who owned slaves for benevolent purposes. In the city of New Orleans, a free Negro woman owned a tavern and several slaves. Another free woman by the name of Marie Metoyer of Natihitoches Parish owned fifty slaves, and an estate of about 2,000 acres. Most of the "well-to-do" free Negroes in the cities belonged to the artisan class and they numbered considerable. Charleston, South Carolina was a center for thrifty free Negroes and early in the nineteenth century, these free Negroes were ranked by some as economically and intellectually superior to any group in the United States.

At Philadelphia in 1713, the Society of Friends maintained a schoolhouse where instruction was given to girls in sewing and other handicrafts. In 1782 this school went under the charge of Anthony Benezet, who left a large sum of money for the instruction of Negro, mulatto, or Indian children in reading, writing, arithmetic and needlework.

The American Convention of Abolition Societies, in 1796, in its address to the "Free Africans and other Free People of Color" in the United States said:² "Teach your children useful trades, or to labor with their hands in cultivating the earth. These employments are favorable to health and virtue. In the

1. Woodson, C.G.; The Negro in Our History, p. 246.

2. The Annals of the American Academy of Political Science, Vol. 130, no. 229, Nov. 1928, p. 123.

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choice of masters who are to instruct them in the above branches of business, prefer those who will work with them; by this means they will acquire habits of industry, and be better preserved from vice than if they worked alone or under the eye of persons less interested in their welfare."

Martin R. Delany wrote in 1852: "Let our young men and young women prepare themselves for usefulness and business..... A people must be a business people and have more to depend upon than mere help in people's houses and hotels before they are either able to support or be capable of properly appreciating the services of professional men among them. This has been one of our great mistakes - we have gone in advance of ourselves..¹"

Here is a story of the life of a free Negro woman, Mrs. Colman Freeman, as related by her. "I am a native of North Carolina. I was born free and lived with my father and mother. My father was a quadroon - my mother a mulatto. My father fought the British in the Revolution. His father volunteered to take his place, and was in the army seven years. He did not get a pension until three years before he died, not knowing that he was entitled to one, until on some abuse upon white men, he went into court, and the lawyer said, 'Will you suffer injustice to be done to this white-headed old man, who has faced the cannon's mouth, fighting for our liberties; who has maintained himself and family without draining a penny from the government?'

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"When colored persons had their meetings in the groves, white men would stand with their white wives where they were coming

out, to examine for passes, and those who had passes would go free, - the others would break and run like cattle with hornets after them. I have seen them run into the river. I remember one time I was going with my brother, and saw them at the meeting trying to get away from the patrollers...

"I lived in Ohio, ten years, as I was married there, but I would about as lief live in the slave states as in Ohio. In the slave states I had protection sometimes from people that knew me, but none in Ohio. I understand the laws are better in Ohio now than they were then. In the slave states I had no part in the laws; the laws were all against the colored men; they allowed us no schools, nor learning. If we got learning, we stole it. We live here honestly and comfortably. We entertain many poor strangers.¹"

3. As Emancipated

Emancipation found the Negro in a very poor economic condition. To be sure, emancipation brought to the children of Negro women advantaged and opportunities which were denied the mothers, for they were still the products of a vile system of slavery. Consequently they were ignorant and crude mothers. The comforts and delicacies that go to enhance a home were denied the Negro mother, and she still shared the hard field labor of the men, in many instances. Her house which was a crude log cabin had only two rooms with rough furniture, consisting of tables and chairs. The sheets were few and the mattresses were made of cotton, corn shucks or pine straw, while the pillows

1. Drew, B., A North-Side View of Slavery, p. 330.

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were filled with home grown feathers. Sometimes the chimneys were built with logs and daubed over with mud.

Daily meals were prepared in simple fashion with corn meal mixed with water and baked on the top of a hoe or griddle. Bacon and salt port which was thinly sliced was fried crisp. Bread was served hot with molasses made from sugar cane, and hot water sweetened with molasses was used as a drink. This bill of fare was served three times daily varied with collards or turnip greens boiled with the salt pork or bacon. One chief characteristic of the cooking was that most meals were fried.

Some of the Negro women, however, had acquired superior skill of the South and were hired to fashionable dressmakers. The Boston Daily Republican on August 30, 1840, quoted The Norfolk Herald: - "For Sale - a colored girl of very superior qualifications... I venture to say that there is not a better seamstress, cutter and fitter of ladies' and children's dresses in Norfolk or elsewhere, or a more fanciful netter of bead-bags, money purses, etc.¹"

In 1860, there were forty-five free Negro laundresses, one hundred twenty-eight mantua makers, sixty-eight seamstresses and six tailors. In industry, there were eleven slave Negro women cooks, one fruiterer, eleven hucksters, six market dealers, sixteen pastry cooks, free Negro women confectioners, one hotel keeper, twenty-four housekeepers and two slave nurses and ten free Negro women nurses. As apprentices, there were seven free Negro women and twenty-eight houseservants.²

See

1. Wesley, C.h. Negro Labor in the United States.

2. Ibid.

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V. THE EDUCATIONAL STATUS OF THE NEGRO WOMAN

1. Educational Training.

A justification of slavery has been sought in the alleged belief of the inferiority of the slaves while the broad truism of the possibilities of the human mind was confessed in all legislation that sought to prevent slaves from acquiring an education. The slaveholder asserted his belief in the mental inferiority of the Negro, and then he advertised his lack of faith in his assertion by enacting laws making it illegal to teach him because an education would render him less valuable as a slave, and more valuable as a man taking his rightful place in society.

In 1832, an act of Alabama declared that "any person or persons who shall attempt to teach any free person of color, or slave to spell, read, or write shall upon conviction thereof by indictment, be fined in a sum no less than \$250, no more than \$500.¹"

The mayor of the city of Mobile in 1833 was authorized by an act of the legislature to grant licenses to such persons as they deemed suitable to give instructions to the free colored Greoles.

In Arkansas, there did not appear any laws against educating the Negroes, but an impression was left that Negroes were denied the right to be educated.

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1. Williams, G.W., History of the Negro Race in America, Vol. 2, pp. 148-196.

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Negroes in Connecticut, although there was no legislation against it.

Delaware never passed any law against the instruction of Negroes, but in 1833 every person was taxed who sold slaves out of the state or brought one into the state, five dollars.

In 1848 in Florida, only white children were allowed school privileges, and In Georgia in 1770, a fine of twenty pounds was inflicted for teaching a slave to read or write.

A penalty of \$100 was provided against persons who employed any slave or free person of color to set type or to perform the act of teaching them to read or write. The Illinois schools contained the words white, although there was no prohibition against the education of colored persons. Before the Civil War separate schools were established. No provision at all was made for the education of Negro children in Indiana.

In Kentucky, the property of the colored persons was taxed by an act of 1830, but they were excluded from privileges of schools. By an act of 1830, it was against the law in Louisiana to teach or permit or cause to be taught any slave to read, or write and free Negroes were denied the entrance into the state.

Maine gave school privileges to all citizens without regard to race or color by her Constitution of 1820, ~~but~~ in Maryland there was nothing on the statute book to prohibit the education of Negroes, but the law designated that the schools were for white children.

St. Frances Academy for colored girls was founded in

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Delaware never passed any law against the instruction of Negroes, but in 1833 every person was taxed who sold slaves out of the state or brought one into the state. Five dollars. In 1848 in Florida, only white children were allowed school privileges, and in Georgia in 1870, a fine of twenty pounds was inflicted for teaching a slave to read or write. A penalty of \$100 was provided against persons who employed any slave or free person of color to act type or to perform the act of teaching them to read or write. The Illinois schools contained the words white, although there was no provision against the education of colored persons. Before the Civil War separate schools were established. No provision at all was made for the education of Negro children in Indiana. In Kentucky, the property of the colored persons was taxed by an act of 1830, but they were excluded from privileges of schools. By an act of 1830, it was enacted the law in Louisiana to teach or permit or cause to be taught any slave to read, or write and free Negroes were denied the entrance into the state. Maine gave school privileges to all citizens without regard to race or color by her Constitution of 1820. But in Maryland there was nothing on the Statute book to prohibit the education of Negroes, but the law designated that the schools were for white children. St. Francis Academy for colored girls was founded in

in connection with the Oblate Sisters of Providence Convent in Baltimore, June 5, 1829.

A separate school for colored children was established in Boston in 1798, and the first primary school was established in 1820. In 1855, the separate schools were discontinued in accordance with the general law passed by the Legislature which provided that "in determining the qualification of scholars to be admitted into any public school, or any district school in this commonwealth, no distinction shall be made on account of the race, color, or religious opinion of the applicant or scholar."

In Mississippi in 1846 and in 1848, school laws were enacted, but schools and education were prescribed for the white youth between the ages of six and twenty years.

Free Negroes were ordered out of the state of Missouri in 1845 and in 1847 an act was passed providing that "no person shall keep or teach any school for the instruction of Negroes or mulattoes in reading or writing in this state."

A school for Negro slaves was established in New York in 1704. Public schools for Negro children were started in 1832, and in 1852 the first evening schools for colored were opened. In North Carolina, until 1835, free Negroes were allowed to maintain schools. The public school system provided that no descendant from Negro ancestors, to the fourth generation inclusive, should enjoy the benefit thereof.

The first schools for colored children in Ohio were

in connection with the Ohio Sisters of Providence convent in
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The first schools for colored children in Ohio were

established at Cincinnati in 1820. In 1849 the Legislature passed an act establishing schools for colored children to be maintained at the public expense. Oberlin College allowed colored students to enter from the moment of its existence in 1833.

The first seminary in the District of Columbia for colored girls was established in Georgetown in 1827. The female seminary was under the care of Maria Becroft, who was the most remarkable colored young woman of her time. She was born in 1805 and died in December 1833.

Miss Myrtilla Miner's seminary for colored girls was established at Washington, D. C. Opposition to the school throughout the district was strong. The house in which the school was then housed was set on fire in the spring of 1860, when Miss Miner was asleep in the second story, but the smell of smoke awakened her in time to save the building and herself from the flames. Another school was established in Washington by Mary Wormley in 1830 for colored youth.

The first school for contrabands was started in September 17, 1861 in Hampton by a Negro woman, Mrs. Mary Peake, who was the first of a distinguished line of teachers in the mission schools. Little schools were scattered throughout the "Tide water" section, and at the close of the Civil War, the mission school was an important factor in educating the Negro.¹

The law forbade white men to marry the Negro woman, but despite the law many slaveholders took her as a wife; and when she gave them children, they were cared for and educated.

1. Merriam, G.S., The Negro and the Nation, p.94.

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The law forbade white men to marry the Negro woman, but despite the law many slaveholders took her as a wife; and when she gave them children, they were cared for and educated.

Sometimes they were sent to northern schools, sometimes to France or to England.

2. Special Achievements.

This section will contain a short survey of pioneer Negro women, who blazed the trail for the coming generations of Negro women, giving them hope for a better day; and who in spite of all the indignities inflicted by the institution of slavery, and all of the hardships and discriminations they endured, advanced the progress of the race and made their contribution to American civilization.

a. Phillis Wheatly

Mr. and Mrs. John Wheatley, wealthy New Englanders purchased Phillis at the age of six years at Boston in 1761.¹ As her real name was not known, she was given the name "Wheatley." She was a very precocious child, exceedingly patient and over studious and not over strong. Her ability to learn was extraordinary, and after sixteen months of study, she had mastered the English language and her first poem was written in 1770. This stimulated her ambition which caused her to become well acquainted with grammar, history, geography and astronomy, and she also mastered Latin to the extent that she was able to read Horace with ease and enjoyment. Phillis Wheatley had access to the best libraries in Boston which gave her opportunities to talk with accomplished persons. By her cultural and educational improvement, she shed her position as menial slave, and won the status of companion for Mrs. Wheatley.

1. Nancy Cunard, Negro Anthology.

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In 1772 Phillis, because of failing health, was sent back to England with the Wheatley's son. She was introduced to many of the nobility, and was preparing to receive court when she received a message from America stating the illness of her mistress; this caused Phillis to return immediately.

It was from England in 1773 that her first volume of poems was published under the patronage of the Countess of Huntington and dedicated to her. Some of the people doubted Phillis' authorship of the volume and Mr. John Wheatley wrote a letter signed by prominent citizens affirming the authenticity of her authorship.¹

It was thus that, "Poems on Various Subjects, Religious and Moral", was given to the literary world; these poems were widely read and enjoyed.

Phillis became a member of the Old South Church in Boston, and under her religious influence, wrote these lines:

" 'Twas mercy brought me from my Pagan land,
Taught me benighted soul, to understand,
That there's a God, that there's a Saviour too.
Once, I redemption neither sought or knew,
Some view our sable race with scornful eye,
Their color is a diabolic dye -
Remember, Christians, Negroes black as Cain
Can be refined and join the Angelic train!" 2

In April 1776, a poem was printed in the American Monthly Museum entitled "His Excellency, General George Washington." After that Mr. and Mrs. Wheatley died, leaving Phillis alone and destitute, as the son was still in Europe. She then married a lawyer named Peters. On December 5, 1794, Phillis died.

1. This reflects the white superiority attitude - that the Negro was incapable of achievements.

2. Cunard, N., Negro Anthology, p. 164.

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2. General G. J. Negro Anthology, p. 100.

As an appraisal of her work, it is said that her poetry was remarkable and ranked with the best of American echoes of the English classists, and her prose, which was in the form of letters, was original, amusing and at times sparkling with genius and wit. These letters were published in Massachusetts by the Historical Society in 1863-1864.

Phillis Wheatley was the first of the Negro race to attempt the muses, and one must consider the depths from which she came in appraising her work rather than by the heights to which she rose.

b. Sojourner Truth.

It is thought that Sojourner Truth was born in 1777,¹ but the exact date of her birth is unknown; she died in 1883. Before she was liberated, in 1817, she had served five masters, had been married and had given birth to five children, who were sold away from her in slavery. Because of her wanderings, she changed her name from Isabella to Sojourner, and Truth was added as a name because she felt that God had called her to preach the truth about slavery.

Harriet Beecher Stowe says, "I never knew a person who possessed so much of that subtle, controlling power, called presence, as Sojourner Truth."²

Sojourner Truth went to Washington and visited President Lincoln at the White House to plead for the enlistment of Negro men in the army; to this plea Lincoln and Congress later gave their consent. In 1861, there at Washington, she cared

1. Cunard, N., Negro Anthology.

2. Ibid., p. 175.

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for the wounded soldiers, instructed and provided for the homeless emancipated slaves, who were half-naked and half starved.

At the close of the Civil War, Sojourner Truth, who then was ninety years old, travelled and lectured for the freedom of the slaves along with William Lloyd Garrison, Wendell Phillips, Frederick Douglass and others. In 1851, the Suffrage Convention at Akron, Ohio, credited her with having saved the day for the women. "Despite her inability to read or write, she counted among her most cherished possessions a tiny autograph book; among the many extracts, testimonials and names of distinguished persons found therein is the following: - For Aunty Sonourner Truth, A. Lincoln." October 9, 1864.¹

Sojourner Truth died on November 26, 1883 and was buried in Oakhill cemetery, Battle Creek, Michigan.

c. Harriet Tubman. (1820-1913).

After effecting her own freedom, Harriet Tubman successfully made thirteen perilous trips back and forth over the underground railway to conduct four hundred slaves to their freedom, and although \$12,000 was offered as a reward for the "black shadow", she escaped.

Harriet Tubman with this great Underground Railroad system directed defiance to the omnipotent Fugitive Slave Laws of 1850. Various routes were used and "General Moses", as Harriet Tubman was sometimes called, was a woman of extraordinary endurance and strength. She had no equal in the point of view of courage and wit in rescuing her fellowmen. The first twenty-five years of her life was spent as a slave on a Maryland

1. Cunard, N., Negro Anthology, p. 181.

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plantation.

The routes in the "Underground Railroad" were known as "lines", stopping places were called "stations", and those who aided along the way were called "conductors", and their charges were known as "packages" or "freight." The system was an elaborate network which reached from Kentucky to Virginia, across Ohio, and from Maryland, across Pennsylvania and New York. The Quakers aided from 40,000 to 100,000 slaves to freedom.

At the age of six, Harriet's master injured her skull with an iron weight, and the injury resulted in pressure on the brain, which caused her to fall asleep at most any time. In spite of this unfortunate physical handicap, her followers had implicit faith in her and her slogan was, "A live runaway slave can do great harm by going back, but a dead one can tell no tales."

Harriet Tubman displayed strength of character rarely possessed by one in any station of life, and her name belongs along side of Joan of Arc and Florence Nightingale. She had patience, foresight, loyalty, tenacity and sagacity. It is said that her last words were to the Association of Colored Women, "Tell the women to stick together; God is fighting for them, and all is well."

The city of Auburn, New York bears a silent testimony in honor of Harriet Tubman on one of its public buildings; in Boston there is a settlement house named after her. Harriet Tubman was born of Harriet Ross, her mother, the daughter of a

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The city of Auburn, New York bears a silent testimony in honor of Harriet Tubman as one of its public buildings; in Boston there is a settlement house named after her. Harriet Tubman was born of Harriet Keen, her mother, the daughter of a

white man, an American, and her father was a full-blooded Negro.

d. Catherine Ferguson. (1749? - 1854).

Catherine Ferguson is the founder of the First Sunday Movement in the United States and in 1773 in New York City she opened the Katy Ferguson's school for the poor.¹ As the opportunities for an education for the poor were few, this effort of Catherine Ferguson has an important place in the beginnings of education in the United States.

She was an ex-slave and at the age of eight her mother was sold from her. At the age of eighteen, she married and had two children, who later died. In the history of educational achievement, Catherine Ferguson's name should be placed with those of Herbart, Pestalozzi and Horace Mann.

e. Mary Ann Shadd Cary.

Mary Ann Shadd was born on October 9, 1823 in Wilmington, Delaware.² She was educated by Phoebe Darlington under the supervision of the Society of Friends; after the completion of a six-year course, she returned to Wilmington and opened a school and taught colored children. Later she taught public school in West Chester, New York and Norristown, Pennsylvania. While teaching in Pennsylvania, in 1858, the Fugitive Slave Act was passed; this made her decide to go to Canada to ascertain what opportunities the country offered for the settlement of emigrants of colored people. To make her work more effective, she returned to the United States and delivered lectures.

1. Brown, H.C., Homespun-Heroines.

2. Ibid.

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In 1854 she established a weekly paper called The Provincial Freeman, which was devoted to colored people, especially to fugitives.

Mary Ann Shadd married Thomas F. Cary of Toronto in 1856. At the beginning of the Civil War, Mrs. Cary was teaching in Michigan. On August 15, 1863, she was appointed by special order, Recruiting Army Officer, to enlist colored volunteers in the Union Army. Later she was appointed in the public school system of Washington, D. C., and for seventeen years was principal of three schools.

She also was a regular contributor to the newspapers, The New National Era, and The Advocate. In 1884, she graduated from the Law Department of Howard University. Mrs. Cary died in Washington, D. C., June 5, 1893.

f. Frances Ellen Watkins Harper (1825-1900)

Frances Ellen Watkins was born in the city of Baltimore, Maryland in 1825, of free parentage. At the age of three years, she lost her mother by death, and she was sent to Rev. William Watkins, an uncle, who taught a school in Baltimore, where she remained for instruction until she was thirteen years of age.

At the age of fourteen, she wrote an article which displayed her literary talent. Later she published a volume called "Autumn Leaves."

In 1850, she was the first Negro woman to do vocational work in Columbus, Ohio at Union Seminary which later became

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placed her literary talent. Later she published a volume called
"Antony's Letters."

In 1850, she was the first Negro woman to be vocated
at work in Columbus, Ohio at Union Seminary which later became

Wilberforce University. Next, she went to Little York to teach and while there witnessed the "Underground Railroad." She visited Philadelphia, New Bedford, and Boston where she attained the position of lecturer on September 23, 1854 for the Anti-Slavery Society of Maine.

Frances Ellen Watkins married Fenton Harper in 1860 in Cincinnati where she continued her literary and anti-slavery activities.

Among the best known of her prose and poetry are "Moses", "A Story of the Nile", "The Dying Bondsman", "Eliza Harris Crossing the Ice" and a book entitled, "Iola Leroy". Mrs. Harper was the first Negro woman to write a novel.

The vividness of her poetry is evidenced in this first stanza from "Eliza Harris."

Like a fawn from the arrow,
startled and wild,
A woman swept by us, bearing a child;
In her eye was the night of a settled despair,
And her brow was o'ershaded with
anguish and care.

These are only accounts of a few of the Negro women of that earlier period, who, under the most unsatisfactory and difficult circumstances made achievements that stand out in bold relief.

1. Watkins, F.E., Poems on Miscellaneous Subjects.
Printed in Boston by J.B.Yerrington & Son - 1854.

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VI. SUMMARY

Slavery was not recognized by the common law of England. It is true that in the latest reign of Charles II some recognition was given to colonial merchants who sometimes brought slaves to ports in England, and held them there temporarily. After the middle of the seventeenth century, Blackstone wrote in 1760, declaring that the law of England would not endure the existence of slavery. Lord Mansfield decided the "Somerset Case" that the state of slavery was so odious that nothing could support it than that of a positive law.

The charters of the various colonies provided that laws of colonial governors should be as near as convenient, agreeable to laws, statutes and government of the policy of England. This was expressed in the Virginia Charter of 1619. Charters of other colonies substantiated the same effect.

This seemed to inhibit slavery in the colonies, but that was only a bridge over which much indigenous law and custom got into colonial law. In thirty years, from 1619 to about 1649, there were three hundred slaves in Virginia.

In Virginia, the original planters were themselves servants, and they sought more servants. In 1618, they petitioned the crown that vagabonds and condemned criminals be sent out as slaves. Political prisoners were sent from England as indentured

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ed servants to serve a term of years in this country.

Although 300,000 Negroes were imported into the colonies before the Revolution, not all slaves were Negroes. In early records, Negroes were described as servants, not as slaves. Many were freed at the end of the term of service.

By common law, slavery was not recognized until 1661 by the statute of Virginia. A year later, the status of the child of a slave depended on that of its mother.

The slaves increased to such an extent that the whites became afraid of slavery. From 1726 until the Revolution, almost at every session of the Virginia Assembly, the question of restricting slave trade was debated. Nevertheless, the king issued instructions to the governor showing his highest displeasure to any law that would prohibit the importation of slaves.

There was a feeling of revulsion regarding slavery in the later part of the colonial period. This was attributed to the great revival of religion in the colonies from 1740 onward. This attitude was strengthened by the influence of the French political philosophy with its exaltation of liberty. The religious sects were active in this religious revival and was soon manifested in a strong opposition against slavery by the Congregationalists, Methodists, Baptists and Quakers.

In 1780, Pennsylvania passed laws providing for gradual abolition of slavery, and most of the northern states, including Vermont, adopted similar policies. Massachusetts abolished slavery in one stroke, and the Pennsylvania law abolished

of servants to serve a term of years in this country.

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the latter part of the colonial period. This was attributed to

the great revival of religion in the colonies from 1740 onward.

This attitude was strengthened by the influence of the French

political philosophy with its exaltation of liberty. The relig-

ious sects were active in this religious revival and was soon

manifested in a strong opposition against slavery by the Congre-

gationalists, Methodists, Baptists and Quakers.

In 1780, Pennsylvania passed laws providing for gradu-

al abolition of slavery, and most of the northern states, in-

cluding Vermont, adopted similar policies. Massachusetts abol-

ished slavery in one stroke, and the Pennsylvania law abolished

slavery a day later. New Hampshire also abolished slavery at one stroke. The Northwest Ordinance of 1787 prohibited slavery in the great northwest territory.

Some of the southern states in the Constitutional Convention objected to any provision that would prohibit importation of slaves and compromises were reached in the convention on many points.

Article 1, Section 9, in the original Constitution provided that migration and importation of such persons as the states now existing shall think proper to admit by the Congress prior to 1898, but it provided that tax or duty imposed on such importation should not exceed ten dollars for each person.

The Fugitive Slave law provided that the slave must be delivered up. At the time of the adoption of the Constitution, five states declared that free Negroes were citizens and enjoyed suffrage. The privilege was removed in North Carolina and New Jersey, which were two of the five states. In most states, free Negroes were not held to be citizens. The passage of the act of prohibition of slave trade in 1808 was advocated by President Jefferson. Thousands of Negroes were smuggled into the country. Promoted by the spirit of the Revolution, many slaves were freed, and as early as 1800, there were a large number of free Negroes which were deemed to be a menace in the south only.

The reaction to this attitude was fostered by the invention of the cotton gin by Eli Whitney. The price of cotton

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The Emancipation Proclamation issued by President Lincoln was an announcement of policy rather than a statement of accomplished fact. It really gave the Negroes a very unsatisfactory legal status and slavery was not really abolished until the adoption of the thirteenth amendment, and the question of Negro citizenship was not settled until the adoption of the fourteenth amendment of the Constitution of the United States.

The Negro woman lived in a world where the white man could work his will on her without hindrance of the law, and she was outside the influence of social codes and the moral restraints which protected the virtues of the white woman. Besides having an extra-legal position, in the South, she had an extra-social status which rendered her safe prey for the white man's lust. She was pursued by him for immoral ends without dread of ill consequences to himself either legal or social.

Chattel slavery subjected Negro women to rudeness, ignorance, poverty and neglect. Upon her fell all the direst curses of slavery, its cruelties, violence and lusts. Under this malign spell, her soul was saddened, her heart embittered, and all the instincts of womanhood blurred and enfeebled. Neither exploitation nor lust was spared her; her life was one of long drudgery and suffering as soon as she was old enough to go into the field. She was driven to work at sunrise and at sundown when she returned weary and faint, she had to cook and

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Children, whom she bore, were not her own, but only property to be disposed of at will of the slaveholder. The Negro woman's position was one of peril; she was subjected to a double moral standard, one for her and one for her white sister. The Negro woman was not protected by law, nor by public opinion, against the sexual passion and pursuit of the southern white "gentlemen." The South did not realize that in order to maintain a high moral standard that it was essential to elevate the morals of both races. They did not realize that the institution of slavery produced a moral deterioration on both masters and slaves.

At the present time, Negro women in the south are working under a system of semi-slavery and exploitation. They are discriminated against both as Negroes and as women. They get the lowest wages and the least desirable work. To overcome these injustices and inequalities, the Negro women will have to fight in order to get full legal, social, economic and educational equality.

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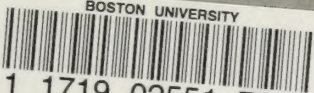
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